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THE New York (City)
" Charter

CHARTER

OF THE

CITY OF NEW-YORK.

PUBLISHED PURSUANT TO AN ORDER OF THE COMMON COUNCIL.

NEW-YORK:
PUBLISHED BY GOULD, BANKS & CO.
Corner of Nassau and Spruce-sts.

1832.

Michigan State Library
JUL 10 1896
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THE

CHARTER

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CITY OF NEW-YORK.

D.8595

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THE

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D.8595

THE

CHARTER

OF THE

CITY OF NEW-YORK.

GEORGE the Second, by the grace of God, of Great Britain, France, and Ireland, king, defender of the faith, &c. To all whom these present letters shall come, *greeting:*

J. Montgomerie, governor, 1730.

Whereas, on the twenty-second day of April, in the year of our Lord one thousand six hundred eighty and six, Thomas Dongan, then lieutenant governor and vice-admiral of New York and its dependencies, under our predecessor, James (the second) then king of England, &c. did make and execute a certain grant, or instrument in writing under the seal of the province of New-York, in these words following:

Recital of the old Charter by Gov. Dongan, of April 22, 1680.

In hæc verb

Thomas Dongan, lieutenant-governor and vice-admiral of New-York, and its dependencies, under his majesty James (the second) by the grace of God, of England, Scotland, France, and Ireland, king, defender of the faith, supreme lord and proprietor of the colony and province of New York, and its dependencies in America, &c. To all to whom this shall come, *sendeth greeting: Whereas*, the city of New-York, is an ancient city within

Recital that the city of New-York is an ancient city

& the citizens anciently a body politic and corporate.

the said province, and the citizens of the said city have anciently been a body politic and corporate;

And enjoyed sundry franchises, &c.

and the citizens of the said city have held, used, and enjoyed, as well within the same, as elsewhere,

By charters, grants, prescriptions, &c.

in the said province, divers and sundry rights, liberties, privileges, franchises, free-customs, preeminences, advantages, jurisdictions, emoluments, and immunities, as well by prescription as by charter, letters patent, grants, and confirmations, not only of divers governors and commanders in chief, in the said province, but also of several governors, directors, generals, and commanders in chief, of the Nether Dutch nation, whilst the same was, or has been under their power and subjection. *And*

Recital of grants of sundry lands and tenements to the corporation.

whereas divers lands, tenements, and hereditaments, jurisdictions, liberties, immunities, and privileges, have heretofore been given and granted, or mentioned to be given and granted, to the citizens and inhabitants of the said city, sometimes by the name

By sundry and different names & titles.

of Schout, Burgomasters, and Schephens of the city of New-Amsterdam; and sometimes by the name of The Mayor, Aldermen, and Commonalty of the city of New York; sometimes by the name of The Mayor, Aldermen, and Sheriff, of the city of New-York; sometimes by the name of, The Mayor and Aldermen of the city of New-York; and by divers other names, as by their several letters patents, charters, grants, writings, records, and minuments, amongst other things, may more fully appear. *And whereas* the citizens and inhabitants

Sundry public buildings and conveniencies made by the city; as the City-Hall,

of the said city have erected, built and appropriated, at their own proper costs and charges, several public buildings, accommodations, and conveni-

encies for the said city, *That is to say*, the City-Hall, or Stat-House, with the ground thereunto belonging, two Market-Houses, the bridge into the dock, the wharves or docks, with their appurtenances; and the new burial place without the gate of the city; and have established and settled one ferry from the said city of New-York to Long Island, for the accommodation and conveniency of passengers, the said citizens, and travellers.

two Market-houses, bridge docks, and wharves.

Ferry established.

And whereas several the inhabitants of the said city, and of Manhattan's Island, do hold from and under his most sacred majesty respectively, as well by several and respective letters patents, grants, charters, and conveyances, made and granted by the late lieutenants, governors, or commanders in chief, of the said province, as otherwise, several and respective messuages, lands, tenements, and hereditaments, upon Manhattan's Island, and in the city of New-York, aforesaid, and as well as the said Mayor, Aldermen, and Commonalty, of the said city, and their successors, as also, the inhabitants of the said Manhattan's Island, and the city of New-York, aforesaid, and their heirs, and assigns respectively, may hold, exercise, and enjoy, not only such and the same liberties, privileges, and franchises, rights, royalties, free custom, jurisdictions, and immunities, as they have anciently had, used, held, and enjoyed; but also such public buildings, accommodations, conveniences, messuages, tenements, lands, and hereditaments, in the said city of New-York, and upon Manhattan's Island aforesaid, which, as aforesaid, have been by

Grants of several messuages, lands, and tenements, to the inhabitants by former governors.

the citizens and inhabitants erected and built, or which have, as aforesaid, been held, enjoyed, granted, and conveyed unto them, or any of them, respectively.

Know ye, therefore, That I, the said Thomas Dongan, by virtue of the commission and authority unto me given, and power in me residing, at the humble petition of the now Mayor, Aldermen and Commonalty of the said city of New-York, and for divers other good causes and considerations, me thereunto moving, have given, granted, ratified, and confirmed, and by these presents, for and on the behalf of his most sacred majesty aforesaid, his heirs, successors, and assigns, do give, grant, ratify, and confirm unto the said Mayor, Aldermen and Commonalty of the said city, all and every such and the same liberties, privileges, franchises, rights, royalties, free customs, jurisdictions, and immunities, which they by the name of, The Mayor, and Commonalty, or otherwise, have anciently had, held, used, or enjoyed, *Provided Always*, That none of the said liberties, privileges, franchises, rights, free customs, jurisdictions, or immunities be inconsistent with, or repugnant to, the laws of his majesty's kingdom of England, or any other the laws of the general Assembly of this province; and the aforesaid public buildings, accommodations, and conveniences in the said city, *That is to say*, The aforesaid City-Hall, or Stat-House, with the ground thereunto belonging, two Market-houses, the bridge into the dock, the wharves or dock, the said new burial place, and the aforementioned ferry, with

Grant to the corporation of all their former rights and privileges.

Provided they be not repugnant to the laws of England, or any acts of assembly.

Grant of the City-Hall, two Market houses bridge, dock, new burial place & ferry.

their and every of their rights, members and appurtenances, together with all the profits, benefits and advantages which shall or may accrue and arise at all times hereafter, for dockage or wharfage, within the said dock, with all and singular the rents, issues, profits, gains, and advantages which shall or may arise, grow, or accrue by the said City-Hall, or Stat-House, and ground thereunto belonging, market-houses, bridge, dock, burying place, ferry and other the above mentioned premises, or any of them; and also, all and every the streets, lanes, highways and alleys within the said city of New York, and Manhattan's Island aforesaid, for the public use and service of the said Mayor, Aldermen and Commonalty of the said city, and of the inhabitants of Manhattan's Island aforesaid, and travellers there; together with full power, license and authority to the said Mayor, Aldermen, and Commonalty, and their successors for ever, to establish, appoint, order and direct the establishing, making, laying out, ordering, amending and repairing of all streets, lanes, alleys, highways, water-courses, ferry and bridges in and throughout the said city of New-York and Manhattan's Island, aforesaid necessary, needful and convenient for the inhabitants of the said city, and Manhattan's Island aforesaid, and for all travellers and passengers there: *Provided always*, That this said licence so as above granted, for the establishing, making, laying out of streets, lanes, alleys, highways, ferries and bridges, be not extended or be construed to extend, to the taking away of any person or person's right or property, without his, her, or

With all profits arising therefrom.

And all streets, lanes, alleys, and highways.

Power to the corporation to lay out and amend streets.

Power of laying out streets not to extend to the taking away any person's right.

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THE New York Corp.
" Charter

CHARTER

OF THE

CITY OF NEW-YORK.

PUBLISHED PURSUANT TO AN ORDER OF THE COMMON COUNCIL.

NEW-YORK:
PUBLISHED BY GOULD, BANKS & CO.
Corner of Nassau and Spruce-sts.

1832.

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coves, creeks, waters and water courses, belonging to the same Island, as far as low-water mark. And I do also, for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, firmly enjoin and command, that the aforesaid Mayor, Aldermen, and Commonalty of the city aforesaid, and their successors, shall and may freely and quietly have, hold, use, and enjoy, the aforesaid liberties, authorities, jurisdictions, franchises, rights, royalties, privileges, exemptions, lands, tenements, hereditaments, and premises aforesaid, in manner and form aforesaid, according to the tenor and effect of the aforesaid grants, patents, customs, and letters patents of grant and confirmation, without the let, hinderance or impediment of me, or any of my successors, governors, lieutenants, or other officers whatsoever.

The Corporation quietly to enjoy all their liberties.

And also, I do, for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, grant to the Mayor, Aldermen and Commonalty of the said City of New-York, and their successors, by these presents, that for the better government of the said city, liberties and precincts thereof, there shall be forever hereafter within the said city, a Mayor and Recorder, Town-Clerk, and six Aldermen, and six Assistants, to be appointed, nominated, elected, chosen and sworn, as hereinafter is particularly and respectively mentioned, who shall be forever hereafter called, *The Mayor, Aldermen and Commonalty of the city of* New-York; and that there shall be forever, one Chamberlain, or Treasurer, one Sheriff, one Coroner, one Clerk of the

A Mayor, Recorder, Town-Clerk, six Aldermen and six Assistants.

Chamberlain, Coroner, Clerk

THE

CHARTER

OF THE

CITY OF NEW-YORK.

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ture, kind, or quality soever; and also to give, grant, let, set, and assign, the same lands, tenements, hereditaments. goods and chattels; and to do and execute all other things about the same by the name aforesaid. And, also, that they be, and forever shall be hereafter, persons able in law, capable to plead, and be impleaded, answer, and be answered unto, defend, and be defended, in all or any the courts of his said majesty, and other places whatsoever, and before any judges, justices, and other person or persons whatsoever, in all and all manner of actions, suits, complaints, demands, pleas, causes, and matters, whatsoever, of what nature, kind, or quality soever, in the same, and in the like manner and form as other people of the said province, being persons able and in law capable, may plead, and be impleaded, answer, and be answered unto, defend, and be defended, by any lawful ways and means whatsoever; and that the said Mayor, Aldermen, and Commonalty of the said city of New-York, and their successors, shall and may forever hereafter, have one common seal to serve for the sealing of all and singular their affairs and businesses touching or concerning the said corporation. And it shall and may be lawful to and for the said Mayor, Aldermen and Commonalty of the said City of New-York, and their successors, as they shall see cause to break, change, alter, and new make their said common seal, when, and as often as to them it shall seem convenient.

To sue, plead, and be impleaded.

In all actions.

Corporation to have a common seal for all their affairs.

With power to break & alter it.

And further, know ye, That I have assigned, named, ordained, and constituted, and, by these

presents, do assign, name, ordain, and constitute, Nicholas Bayard, now Mayor, of the said City of New York, to be present Mayor of the said city; and that the said Nicholas Bayard, shall remain and continue in the office of Mayor there, until another fit person shall be appointed and sworn in the said office, according to the usage and custom of the said city; and as in and by these presents is hereafter mentioned and directed. And I have assigned, named, ordained, and constituted, and, by these presents, do assign, name, ordain, and constitute, create and declare James Graham, Esq. to be the present Recorder of the said city; to do and execute all things, which unto the said office of Recorder of the said city doth, or may in any wise appertain or belong. And I have assigned, named, ordained, and constituted, and by these presents, do assign, name, ordain, constitute, create, and declare John West, Esq; Town Clerk, of the said city; to do and execute all things which unto the office of Town Clerk may any wise appertain or belong. And I have named, assigned, constituted, and made, and by these presents, do assign, name, constitute, and make, Andrew Bown, John Robinson, William Beekman, John Delaval, Abraham De Peyster, and Johannes Kip, citizens and inhabitants of the said city of New-York, to be the present aldermen of the said city. And also, I have made, assigned, named, and constituted, and by these presents, do assign, name, constitute, and make, Nicholas De Myer, Johannes Van Brugh, John De Brown, Teunis De Key, Abraham Corbit, and Wolfert Webber, citi-

Mayor named.

Recorder named.

Town Clerk named.

Aldermen named.

Assistants.

zens and inhabitants of the said city, to be the present assistants of the said city. And, also, I have assigned, chosen, named, and constituted, and by these presents do assign, choose, name, and constitute Peter De Lanoy, citizen and inhabitant of the said city, to be the present Chamberlain or Treasurer of the city aforesaid. And I have assigned, named, constituted, and appointed, and by these presents, do assign, name constitute, and appoint John Knight, Esq one other of the said citizens there, to be present Sheriff of the said city, and have assigned, named, constituted and appointed, and by these presents do assign, name, constitute, and appoint Jarvis Marshal, one other of the said citizens there, to be the present Marshal of the said city. And I do by these presents grant to the said Mayor, Aldermen, and Commonalty of the said city of New-York and their successors, That the Mayor, Recorder, Aldermen, and Assistants of the said city for the time being, or the Mayor, Recorder, and any three or more of the Aldermen, and any three or more of the Assistants, for the time being, be and shall be called, The Common Council of the said city, and that they or the greater part of them, shall or may have full power and authority, by virtue of these presents, from time to time, to call and hold common council, within the common council house, or City-hall of the said city; and there, as occasion shall be, to make laws, orders, ordinances, and constitutions, in writing; and to add, alter, diminish or reform them, from time to time, as to them shall seem necessary and convenient,

Chamberlain.

Sheriff.

Marshal.

Mayor, Recorder, & three or more Aldermen & Assistants to be a Common Council.

With power to make Laws and alter or repeal them.

(not repugnant to the prerogative of his most sacred majesty aforesaid, his heirs and successors, or to any of the laws of the Kingdom of England, or other the laws of the general Assembly of the Province of New-York) for the good rule, oversight, correction, and government of the said city and liberties of the same, and of all the officers thereof, and for the several tradesmen, victuallers, artificers, and of all other the people and inhabitants of the said city liberties, and precincts, aforesaid, and for the better preservation of government, and disposal of all the lands, tenements, and hereditaments goods, and chattels of the said corporation; which laws, orders, ordinances, and constitutions, shall be binding to all the inhabitants of the said city, liberties, and precincts aforesaid; and which laws, orders, ordinances, and constitutions, so by them made, as aforesaid, shall be and remain in force for the space of three months, and no longer, unless they shall be allowed of, and confirmed by, the governor, and council for the time being. And I do further on the behalf of his sacred majesty aforesaid, his heirs and successors, appoint and grant, that the said common council of the said city, for the time being, as often as they make, ordain, and establish such laws, orders, ordinances, and constitutions, as aforesaid, shall or may make, ordain, limit, provide, set, impose, and tax, reasonable fines and amerciaments against and upon all persons offending against such laws, orders, ordinances, and constitutions, as aforesaid, or any of them, to be made ordained, and established as aforesaid, and the same fines, and amer-

So that such laws be not repugnant to the king's prerogative, the Laws of England, or Acts of Assembly of N. York.

Which Laws to be in force only for three months, unless confirmed by the Governor and Council.

Discretionary fines to be laid for the non-observance of such Laws.

ciaments shall and may require, demand, levy, take, and receive by warrants under the common seal, to and for the use and behoof of the Mayor, Aldermen and Commonalty of the said city, and their successors. either by distress and sale of the goods and chattels of the offender therein, if such goods and chattels may be found within the said city, liberties, and precincts, thereof, rendering to such offender and offenders, the overplus, or by any other lawful ways or means whatsoever.

To be levied by distress and sale.

And I do, by these presents, appoint and ordain the assigning, naming, and appointment of the Mayor and Sheriff of the said city, that it shall be as followeth, (viz.) upon the feast day of Saint Michael the Arch-angel, yearly, the Lieutenant Governor or Commander in Chief, for the time being, by and with the advice of his council, shall nominate and appoint such person as he shall think fit to be Mayor of the said city, for the year next ensuing; and one other person of sufficient ability and estate, and of good capacity in understanding, to be Sheriff of the said City of New-York, for the year next ensuing; and that such person as shall be named, assigned, and appointed Mayor, and such person as shall be named, assigned, and appointed Sheriff of the said city, as aforesaid, shall on the fourteenth day of October then next following take their several and respective corporal oaths, before the governor and council, for the time being, for the due execution of their respective offices, as aforesaid; and that the said Mayor and Sheriff, so to be nominated, assigned, and appoint-

Mayor & Sheriff to be appointed yearly on the feast of St. Michael, by the Governor and Council.

And to take their oaths before the Governor & Council.

ed, as aforesaid, shall remain and continue in their said respective offices, until another fit person shall be nominated, appointed, and sworn, in the place of Mayor; and one other person shall be nominated and appointed in the place of Sheriff of the said city, in manner aforesaid. *And further*, That according to the now usage and custom of the said city, the Recorder, Town Clerk, and Clerk of the Market of the said city, shall be persons of good capacity and understanding, and such persons as his most sacred majesty aforesaid, his heirs and successors, shall in the said respective offices of Recorder, Town Clerk, and Clerk of the Market, appoint and commissionate; and for defect of such appointments, and commissionating, by his most sacred majesty aforesaid, his heirs and successors, to be such persons as the lieutenant governor and commander in chief of the said Province for the time being, shall appoint and commissionate; which persons so commissionated to the said offices of Recorder, Town Clerk, and Clerk of the Market, shall have, hold, and enjoy, the said offices, according to the tenor and effect of their said commissions, and not otherwise. *And further*, That the Recorder, Town Clerk, Clerk of the Market, Aldermen, Assistants, Chamberlain, High-Constable, Petty Constables, and all other officers of the said city, before they, or any of them, shall be admitted to enter upon and execute their respective offices, shall be sworn faithfully to execute the same, before the Mayor, or any three or more of the Aldermen for the time being. *And*

Recorder, town Clerk, & Clerk of the Market, to be appointed by his Majesty, and in defect thereof by the Governor or Commander in Chief.

Recorder, town clerk, clerk of the market, aldermen, assistants, chamberlain, high-constable, &c. to be sworn before the Mayor or any three or more aldermen.

I do, by these presents, for and on the behalf of his most sacred majesty, his heirs and successors, grant and give power and authority to the Mayor and Recorder of the said city, for the time being, to Administer the same respective oaths to them accordingly. *And further*, I do by these presents, grant, for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, that the Mayor and Recorder of the said city, for the time being, and three or more of the Aldermen of the said city, not exceeding five, shall be justices and keepers of the peace of his most sacred majesty, his heirs and successors, and justices to hear and determine matters and causes within the said city and liberties, and precincts thereof; and that they or any three or more of them, whereof the Mayor and Recorder, or one of them, for the time being, to be there, shall and may forever hereafter, have power and authority, by virtue of these presents, to hear and determine all and all manner of petty larcenies, riots, routs, oppressions, extortions, and other trespasses and offences whatsoever, within the said city of New-York, and the liberties and precincts aforesaid, from time to time, arising and happening, and which arise or happen and any ways belonging to the offices of justices of the peace, and the correction and punishment of the offences aforesaid, and every of them, according to the laws of England, and the laws of the said Province; and to do and execute all other things in the said city, liberties, and precincts aforesaid, so fully and in ample manner, as to the commissioners assigned, and to be assigned, for the

Who are impowered to administer the same oaths.

Mayor & Recorder with three or more Aldermen assigned Justices of the Peace, to hear and determine all causes within the city.

As Larcenies, Riots, Routs, &c.

keeping of the peace in the said county of New-York, doth or may belong.

And, moreover, I do by these presents, for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, appoint, that the Aldermen, Assistants, High Constable, and Petty Constables, within the said city, be yearly chosen on the feast day of St. Michael the Arch angel, forever, (viz) one Alderman, one Assistant, and one Constable, for each respective ward, and one Constable for each division in the out-ward, in such public place in the said respective wards, as the Aldermen for the time being, for each ward, shall direct and appoint; and that the Aldermen, Assistants, and Petty Constables, be chosen by majority of voices of the inhabitants of each ward; and that the High Constable be appointed by the Mayor of the said city for the time being; and that the Chamberlain shall be yearly chosen, on the said feast day, in the said City-Hall of the said city, by the Mayor and Aldermen and Assistants, or by the Mayor, or three or more of the Aldermen, and three or more of the Assistants of the said city, for the time being. *And I do*, by these presents, constitute and appoint the said John West, to be the present Town Clerk, Clerk of the Peace, and Clerk of the Court of Pleas, to be holden before the Mayor, Recorder, and Aldermen, within the said city, and the liberties and precincts thereof. *And further* I do by these presents, for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, require and strictly charge and command, that the Sheriff, Town

Aldermen, assistants, high constable and petty constables to be chosen yearly on the feast of St. Michael.

Aldermen, assistants & petty constables to be chosen by majority of voices.

Mayor to appoint high constable.

Chamberlain to be chosen by the Mayor, aldermen, & assistants.

Town Clerk, Clerk of the Peace & Pleas named.

Sheriff, town

clerk, high constable, petty constables, and all other subordinate officers to attend on the mayor, recorder and aldermen, to execute their commands.

Clerk, Clerk of the Peace, High Constable, Petty Constables, and all other subordinate officers in the said city, for the time being, and every of them respectively, jointly and severally, as cause shall require, shall attend upon the said Mayor, Recorder, and Aldermen, of the said city, for the time being, and every or any of them, according to the duty of their respective places, in and about the executing of such the commands, precepts, warrants, and processes, of them and every of them, as belongeth and appertaineth to be done or executed; and that the aforesaid Mayor, Recorder, and Aldermen, and every of them, as justices of the peace for the time being, by their or any of their warrants, all and every person and persons for high treason or petty treason, or for suspicion thereof, or for other felonies whatsoever, and all malefactors and disturbers of the peace, and other offenders for other misdemeanors, who shall be apprehended within the said city, or liberties thereof, shall and may send and commit, or cause to be sent and committed, to the common gaol of the said city, there to remain and be kept in safe custody, by the keeper of the said gaol, or his deputy, for the time being, until such offender and offenders shall be lawfully delivered thence. *And I do*, by these presents, for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, charge and require the keeper and keepers of the said gaol for the time being, and his and their deputy and deputies, to receive, take, and in safe custody to keep, all and singular such person and persons so apprehended, or to be apprehended,

Mayor, recorder and aldermen may commit any persons for misdemeanors.

Goaler to take malefactors into custody.

sent, and committed, to the said gaol, by warrant of the said justices, or any of them as aforesaid, until he and they so sent and committed to the said gaol, shall from thence be delivered by due course of law.

And there keep them until delivered by course of Law.

And further, I do grant and confirm for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, that the said Mayor of the said city, for the time being, and no other, (according to the usage and custom practised in the said city of New-York, in the times of my predecessors, the several Lieutenants, Governors, and Commanders in Chief, of this province) shall have power and authority to give and grant licenses annually, under the public seal of the said city, to all tavern keepers, innkeepers, ordinary keepers victuallers, and all public sellers of wine, strong waters, cyder, beer, or any other sort of liquors, by retail within the city aforesaid, Manhattan's Island, or their liberties and precincts thereof; and that it shall and may be lawful to and for the said Mayor of the said city, for the time being, to ask, demand, and receive, for such license, by him to be given and granted, as aforesaid, such sum or sums of money, as he and the person to whom such license shall be given or granted, shall agree for, not exceeding the sum of thirty shillings for each license. All which money, as by the said Mayor shall be so received, shall be used and applied to the public use of the said Mayor, Aldermen, and Commonalty, of the said city of New York, and their successors, without any account thereof to be rendered, made or done, to any

Mayor to grant Licenses to tavern keepers.

of the Lieutenants or Governors of this province, for the time being, or any of their deputies.

And know ye, That for the better government of the said city, and for the welfare of the said citizens, tradesmen, and inhabitants thereof, I do by these presents, for and on the behalf of his most sacred majesty, his heirs and successors, give and grant to the said Mayor, Aldermen, and Commonalty, of the said city, and their successors that the Mayor, Recorder, and Aldermen, or the Mayor and any three or more of the Aldermen for the time being, shall, from time to time, and at all times hereafter, have full power and authority, under the common seal, to make free citizens, of the said city, and liberties thereof; and no person or persons whatsoever, other than such free citizens, shall hereafter use any art, trade, mystery, or manual occupation, within the said city, liberties, and precincts thereof, saving in the times of fairs there to be kept, and during the continuance of such fairs only. And in case any person or persons whatsoever, not being free citizens of the said city, as aforesaid, shall at any time hereafter use or exercise any art, trade, mystery, or manual occupation, or shall, by himself, themselves, or others, sell, or expose to sale, any manner of merchandize or wares whatsoever, by retail, in any house, shop, or place, or standing within the said city, or the liberties or precincts thereof: no fair being then kept, in the said city, and shall persist therein after warning to him or them given, or left by the appointment of the Mayor of the said city, for the time being, at the place or places where such

Mayor, recorder & aldermen, or the mayor & any three or more aldermen to make Freemen.

And no person being not a free man to exercise any trade, unless in time of fairs, & during their continuance only.

All unfreemen using any trade or selling goods (unless a fair be kept) and shall persist after notice given,

person or persons, shall so use or exercise any art, trade, mystery, or manual occupation; or shall sell or expose to sale, any wares or merchandizes, as aforesaid, by retail; then it shall be lawful for the Mayor of the said city for the time being, to cause such shop windows to be shut up, and also to impose such reasonable fine for such offence, not exceeding five pounds for every respective offence; and the same fine and fines so imposed, to levy and take by warrant under the common seal of the said city, for the time being, by distress and sale of the goods and chattels of the person or persons so offending in the premises found within the liberties or precincts of the said city, rendering to the party or parties the overplus; or by any other lawful ways or means whatsoever to the only use of the said Mayor, Aldermen, and Commonalty, of the said city of New-York, and their successors, without any account to be rendered, made, or done, to the Lieutenants, Governors, or Commanders in Chief, of this province for the same: *Provided*, That no person or persons shall be made free as aforesaid, but such as are his majesty's natural born subjects, or such as shall first be naturalized by act of General Assembly; or shall have obtained letters of denization, under the hand of the Lieutenant Governor or Commander in Chief for the time being, and seal of the province: and that all persons to be made free as aforesaid, shall and do pay for the public use of the said Mayor, Aldermen, and Commonalty, of the said city, such sum and sums of money as heretofore hath been used and accustomed to be paid and

shall forfeit a sum not exceeding £5 for each offence

to be levied by distress & sale of offender's goods to the use of the Corporation.

None to be made free but such as are natural born subjects, naturalized, or made Denizens.

received on their being admitted freemen as aforesaid: *Provided*, it is not exceeding the sum of five pounds.

Fees of being made free not exceed L5.

And further, I do by these presents, for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, grant to the Mayor, Aldermen, and Commonalty, of the said city, that they and their successors be forever, persons able and capable, and shall have power to purchase, have, take, and possess, in fee simple, lands, tenements, rents, and other possessions within or without the same city; to them and their successors forever, so as the same exceed not the yearly value of one thousand pounds per annum, the statute of Mortmain, or any other law to the contrary notwithstanding; and the same lands, tenements, hereditaments, and premises, or any part thereof to demise, grant, lease, set over, assign, and dispose, at their own will and pleasure, and to make, seal, and accomplish, any deed or deeds, lease or leases, evidences, or writings, for or concerning the same, or any part thereof, which shall happen to be made and granted by the said Mayor, Aldermen, and Commonalty, of the said city for the time being.

Power to purchase and hold lands and tenements in Fee-simple, &c. so as to exceed not the yearly value of 1000*l* per annum.

And to sell lease & dispose of the same.

And further, I do, by these presents, for and on the behalf of his most sacred majesty aforesaid, heirs, and successors, grant to the said Mayor, Aldermen, and Commonalty, that they and their successors shall and may forever hereafter, hold and keep within the said city, in every week of the year, three market days, the one upon Tuesday, the other

Power to keep three Market-

upon Thursday, and the other upon Saturday, weekly forever. days weekly forever.

And also, I do by these presents, for and on the behalf of his most sacred majesty aforesaid, his heirs and successors, grant to the Mayor, Aldermen, and Commonalty, of the said city, that they and their successors and assigns, shall and may at any time or times hereafter, when it to them shall seem fit and convenient, take in, fill, and make up, and lay out, all and singular the lands and ground in and about the said city and Island Manhattan's, and the same to build upon, or make use of, in any other manner or way, as to them shall seem fit, as far into the rivers thereof, and that encompass the same, at low-water mark aforesaid. Power to the Corporation to lay out their ground, and build, &c.

And I do, by these presents, for and on the behalf of his most sacred majesty aforesaid, his heirs, and successors, give and grant unto the aforesaid Mayor, Aldermen, and Commonalty, of the said city of New York, and their successors, that they and their successors, shall and may have, hold, and keep, within the said city, and liberties and precincts thereof, in every week in every year forever, upon Tuesday, one court of common pleas, for all actions of debt, trespass, trespass upon the case, detinue, ejectment, and other personal actions; and the same to be held before the Mayor, Recorder, and Aldermen, or any three of them, whereof the Mayor or Recorder to be one, who shall have power to hear and determine the same pleas and actions, according to the rules of the Power to hold a court of common pleas, on every Tuesday.

common law, and acts of general assembly of the said province.

And I do, by these presents, for and on behalf of his most sacred majesty aforesaid, his heirs, and successors, grant to the said Mayor, Aldermen, and Commonalty, of the said city of New-York, and their successors, that the said Mayor, Aldermen, and Commonalty, of the said city, and their successors, shall have and enjoy all the privileges, franchises, and powers, that they have and use, or that any of their predecessors at any time within the space of twenty years last past, had, took, or enjoyed, or ought to have had, by reason, or under any pretence of any former charter, grant, prescription, or any other right, custom, or usage, although the same have been forfeited, lost, or have been ill used, or not used, or abused, or discontinued, albeit they be not particularly mentioned; and that no officer shall disturb them therein under any pretence whatsoever, not only for their future, but their present enjoyment thereof; provided always, that the said privileges, franchises, and powers, be not inconsistent with, or repugnant to the laws of his majesty's kingdom of England or other the laws of the general assembly of this province as aforesaid. And saving to his most sacred majesty aforesaid, his heirs, successors, and assigns, and the Lieutenants, Governors, and Commanders in chief, and other officers under him and them, in Fort-James, in or by the city of New-York, and in all the liberties, boundaries, extents, privileges thereof, for the maintenance of the said fort and garrison there, all the right, use, title, and

Grant to the Corporation of all their former Franchises.

So they be not repugnant to the laws of England, or acts of assembly of this colony, saving the fort.

authority, which they or any of them, have had, used, or exercised there; and also, one messuage or tenement, next the City-Hall; and one messuage by the fort, now in the possession of Thomas Coker, gent. The piece of ground by the gate, called the Governor's garden, and the land without the gate, called the King's farm; with the swamp next to the same land, by the fresh water; and saving the several rents and quit rents, reserved due, and payable, from several persons, inhabiting within the said city, and Island Manhattan's, by virtue of former grants to them made and given, and saving to all other persons, bodies politic and corporate, their heirs, successors, and assigns, all such right, title, and claim, possessions, rents, services, commons, emoluments, interest in and to any thing which is their's (save only the franchises aforesaid) in as ample manner as if this charter had not been made.

And a house next the city-hall, and one near the fort, and the Governor's garden, King's farm, & Swamp.

And all rents and quit rents reserved on former grants.

And further, I do appoint and declare, that the incorporation to be founded by this charter, shall not at any time hereafter do or suffer to be done, any thing by means whereof the lands, tenements or hereditaments, stock goods, or chattels thereof, or in the hands, custody, possession of, any of the citizens of the said city, such as have been sett, lett, given, granted, or collected, to, and for pious and charitable uses, shall be wasted or misemployed, contrary to the trust or intent of the founder or giver thereof, and that such and no other construction shall be made thereof, than that which may tend most to advantage religion, justice, and the public

The incorporation not be construed to take away any lands, tenements, goods, or chattels disposed of before to charitable uses.

good; and to suppress all acts and contrivances to be invented, or put in use, contrary thereunto. *In Witness* whereof, I have caused these presents to be entered in the Secretary's office, and the seal of the said Province to be hereunto affixed, this seven and twentieth day of April, in the second year of the reign of his most sacred majesty aforesaid, and in the year of our Lord God, One Thousand Six Hundred and Eighty six.

End of the Charter of Gov. Dongan.

THOMAS DONGAN.

By virtue, or under pretext whereof, the said citizens and inhabitants from the date thereof, hitherto have held, or claimed to hold, and still do hold, or claim to hold and enjoy, all and singular the rights, privileges, franchises, pre-eminences, advantages, jurisdictions, courts, powers, profits, immunities, lands, tenements, hereditaments, and other the premises therein particularly mentioned and thereby intended to be granted *And whereas* the citizens and inhabitants of the said city of New York, besides the several public buildings, accommodations, conveniencies, and other things in the before recited grant or writing mentioned to have been by them erected, built, and appropriated, have, since the making thereof, built, and appropriated, at their own proper costs and charges, several public buildings, accommodations, and conviencies, for the said city, *that is to say*, the present city-hall and gaols, rooms and places for the sitting of courts of justice, and chambers adjoining, with the ground and appurtenances thereunto belonging, five market-houses, the present crane and bridge, with the common

Recital that the citizens by virtue of that Charter, have held, & still do hold sundry franchises, lands and tenements, thereby granted to them.

Recital of several other buildings made by the City.

sewer leading through the great dock, and a magazine or powder house near the fresh water, and several other public buildings, and conveniencies in the said city; and have built the new ferry houses on the island of Nassau, for the reception of travellers, with a barn, stables, and penn, or pound for cattle. And whereas our late royal predecessor, Queen Anne, by her letters patent, under the broad seal of the Province of New York made, bearing date the nineteenth day of April, in the seventh year of her reign, did grant, ratify, and confirm, unto the then Mayor, Aldermen, and Commonalty of the city of New-York, and to their successors and assigns, in these words following, *to wit*, Anne, by the grace of God, of England, Scotland, France and Ireland, queen, defender of the faith, &c. To all whom these presents may in any wise concern, sendeth greeting: *Whereas* the Mayor, Aldermen, and Commonalty of the city of New-York, by their petition to our right trusty and well beloved cousin Edward Viscount Cornburry, our Captain General and Governor in Chief, in and over our province of New-York, and territories depending thereon in America, and Vice Admiral of the same, &c. preferred in Council; therein setting forth, That they having a right and interest, under divers ancient Charters and Grants, by divers former Governors and Commanders in Chief of our said Province of New-York, under our noble progenitors, in a certain ferry from the said city of New-York, over the East River to Nassau Island, (alias Long-Island) and from the said Island to the said city again, and have

Recital of the Patent of Queen Anne.

In hæc verba.

Recital of petition from the Corporation to lord *Cornburry;*

Setting forth their right to the Ferry on Nassau Island;

possessed the same, and received all the profits, benefits, and advantages thereof for the space of fifty years and upwards; and perceiving the profits, advantages, and benefits usually issuing out of the same to diminish, decrease, and fall short of what might be reasonably made of the same, for the want of the bounds and limits, to be extended and enlarged on the said island side, whereby to prevent divers persons transporting themselves and goods to and from the said Island Nassau (alias Long Island) over the said river, without coming or landing at the usual and accustomed places, where the ferry boats are usually kept and appointed, to the great loss and damage of the said city of New York; have humbly prayed our grant and confirmation, under the great seal of our said Province of New York, of the said ferry, called the Old Ferry, on both sides of the said East River, for the transporting of passengers, goods, horses and cattle, to and from the said city, as the same is now held and enjoyed by the said Mayor, Aldermen, and Commonalty of the said city of New-York, or their under-tenant, or under-tenants; and also, of all that the vacant and unappropriated land, from high water-mark, to low water mark, on the said Nassau Island, (alias Long-Island) lying contiguous and fronting the said city of New York, from a certain place called, The Wall-About, unto the Red-Hook, over against Nutten-Island, for the better improvement and accommodation of the said ferry; with full power, leave, and licence to set up, establish, maintain, and keep one or more ferry or ferries, for the ease and accom-

And praying grant & confirmation thereof;

with the vacant land from high water to low water-mark on Nassau Island.

With power to establish more ferries.

modation of all passengers and travellers, for the transportation of themselves, goods, horses, and cattle, over the said river, within the bounds aforesaid, as they shall see meet and convenient, and occasion require; and to establish, ordain, and make bye laws, orders, and ordinances, for the due and orderly regulation of the same: The which Petition we being minded to grant, *Know ye*, That of our especial grace, certain knowledge, and meer motion, we have given, granted, ratified, and confirmed, and in and by these presents, for us, our heirs, and successors, we do give, grant, ratify, and confirm, unto the said Mayor, Aldermen, and Commonalty of the city of New-York, and to their successors and assigns, All that the said ferry, called the Old Ferry, on both sides of the said East River, for the transportation of passengers, goods, horses, and cattle, over the said river, to and from the said city and island, as the same is now used, held, and enjoyed, by the said Mayor, Aldermen, and Commanalty of the city of New York, or their under tenant or under tenants, with all and singular the usual and accustomed ferriage, fees, perquisites, rents, issues, profits, and other benefits and advantages whatsoever, to the said Old Ferry belonging or therewith used, or thereout arising; and also, all that the aforesaid vacant and unappropriated ground, lying and being on the said Nassau Island, (alias Long-Island) from high water mark to low water-mark aforesaid, contiguous and fronting the said city of New York, from the aforesaid place called the Wall-About, to Red-Hook aforesaid, *That is to*

And to make bye laws for regulating them.

Grant to the Corporation of the Ferry.

With all fees and profits.

Grant of all vacant land on Nassau Island, between high and low-water-mark, from the Wall About to Red-Hook.

say, from the east side of the Wall-About, opposite the now dwelling house of James Bobine, to the west side of the Red-Hook, commonly called the Fishing Place, with all and singular the appurtenance and hereditaments to the same, or any part or parcel thereof belonging, or in any wise of right appertaining; together with all and singular the rents, issues, profits, ways, waters, easements, and all other benefits, profits, advantages, and appurtenances, which heretofore have, now are, and which hereafter shall belong to the said ferry, vacant land, and premises, hereinbefore granted and confirmed, or to any or either of them in any wise appertaining, or which heretofore have been, now are, and which hereafter shall belong, be used, held, received, and enjoyed; and all our estate, right, title, and interest, benefit and advantage, claim and demand of, in, or to, the said ferry, vacant land, and premises, or any part or parcel thereof, and the reversion and reversions, remainder and remainders; together with the yearly and other rents, revenues, and profits, of the premises, and of every part and parcel thereof; except and always reserved out of this our present grant and confirmation, free liberty, leave, and license, to and for all and every person or persons, inhabiting or having plantations near the said river, by the water side, within the limits and bounds above mentioned, to transport themselves, goods, horses, and cattle over the said river, to and from the said city of New-York, and Nassau-Island, (alias Long-Island) to and from their respective dwellings or plantations, without any ferriage or other account

And all profits belonging thereto.

Reserving liberty to the inhabitants having plantations near the water side to transport themselves & goods without paying ferriage; so as they transport themselves and their own goods, and in

to the said ferry, hereby granted and confirmed to be paid or given; so always as the said person or persons do transport themselves only, and their own goods, and in their own boats only, and not any stranger or their goods, horses, or cattle, or in any other boat: *To have and to hold*, All and singular the said ferry, vacant land, and premises, herein before granted and confirmed, or meant, mentioned, or intended to be hereby granted and confirmed (except as is hereinbefore excepted) and all and singular the rents, issues, profits, rights, members, and appurtenances, to the same belonging, or in any wise of right appertaining unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors and assigns forever; to the only proper use and behoof of the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors and assigns forever; to be holden of us, our heirs and successors, in free and common soccage, as of our manor of East Greenwich, in the county of Kent, within our kingdom of England; yielding, rendering and paying unto us, our heirs and successors for the same, yearly, at our custom house of New York, to our collector and receiver general there for the time being, at or upon the feast of the nativity of St John the Baptist, the yearly rent or sum of five shillings, current money of New-York.

their own boats only;

To hold the said ferry and vacant land to the corporation, their successors and assigns forever,

Under the yearly rent of 5s. per annum.

And we do further, of our especial grace, certain knowledge, and meer motion, for us, our heirs and successors, give and grant unto the said Mayor, Aldermen, and Commonalty, and their successors,

Power to establish as many Ferries as they shall think fit.

full and free leave and licence to set up, establish, keep, and maintain one or more ferry or ferries, as they shall from time to time think fit and convenient within the limits and bounds aforesaid, for the ease and accommodation of transporting of passengers, goods, horses, and cattle, between the said city of New-York, and the said island (except as is herein before excepted) under such reasonable rates and payments as have been usually paid and received for the same; or which at any time hereafter, shall be by them established by and with the consent and approbation of our Governor and Council of our said Province, for the time being. *And we do further*, of our especial grace, certain knowledge, and meer motion, give and grant unto the said Mayor, Aldermen, and Commonalty, of the city of New York, and their successors, full and absolute power and authority, to make, ordain, establish, constitute, and confirm, all manner of bye laws, orders, rules ordinances, and directions, for the more orderly keeping, and regularly maintaining the aforesaid ferry that now is kept, or any ferry or ferries which shall at any time or times hereafter, be set up, established, or kept within the bounds aforesaid, by virtue hereof, or of, for, touching, or concerning, the same (so always as the same be not contrary to our laws of England, and of our Province of New-York) and the same at all times hereafter to put in execution, or abrogate, revoke or change, as they in their good discretion shall think fit, and most convenient, for the due and orderly keeping, regulat-

And receive such ferriage fees as now are taken, or shall be established, with the consent of the governor & council.

Power to make bye laws for regulating the ferry.

ing, and governing the said ferry or ferries hereinbefore mentioned.

And lastly, our will and pleasure is, and we do hereby declare and grant, that these our letters patent, or the record thereof, in the secretary's office of our said province of New-York, shall be good and effectual in the law, to all intents and purposes whatsoever, notwithstanding the not true and well reciting or mentioning of the premises, or any part thereof, or the limits and bounds thereof, or of any former or other letters patents, or grants whatsoever, made or granted; or of any part thereof, by us or any of our progenitors, unto any person or persons whatsoever, bodies politic, or corporate, or any law or other restraint, incertainty, or imperfection whatsoever, to the contrary in any wise notwithstanding, and although express mention of the true yearly value, or certainty, of the premises, or of any of them, or of any other gifts or grants by us or by any of our progenitors, heretofore made to the said Mayor, Aldermen, and Commonalty, of the city of New-York, in these presents, is not made, or any other matter, cause, or thing, whatsoever, to the contrary thereof in any wise notwithstanding. *In testimony* whereof, we have caused these our letters to be made patent, and the seal of our said province of New York, to our said letters patent to be affixed, and the same to be recorded, in the secretary's office of our said province *Witness* our right trusty and well beloved cousin, Edward Viscount Cornburry, Captain General, and Governor in Chief, in and over

This grant or the record thereof to be of force,

Notwithstanding any imperfections whatsoever.

our province of New-York aforesaid, and territories thereon depending in America, and Vice Admiral of the same, &c. in Council, at our fort in New-York, the nineteenth day of April, in the seventh year of our reign. *Annoq; Domini*, One Thousand Seven Hundred and Eight.

By virtue of which Patent the citizens do hold the ferry & vacant land thereby granted.

By Virtue, or under pretext whereof, the said inhabitants and citizens of the city of New-York, have held and enjoyed, or have claimed to hold and enjoy, and still do hold, or claim to hold, the ferry, vacant land, perquisites, profits, privileges, powers, and other the premises, in the before recited letters patent mentioned and intended to be thereby granted. *And whereas*, besides all the aforesaid particulars in the said grant or instrument made, in the aforesaid year of our Lord One Thousand Six Hundred Eighty and Six, and in the before recited letters patent of Queen Anne, mentioned or intended to be thereby granted, the citizens and inhabitants of the said city of New-York have anciently held, or claimed to hold, use, and enjoy, divers and sundry other rights, privileges, franchises, pre-eminences, advantages, jurisdictions, emoluments, powers, profits, immunities, lands, tenements, and other hereditaments, as well by prescription, as by divers grants, and confirmations of and from divers Governors, Lieutenant Governors, and Commanders in Chief, of the said province, by the name of *The Mayor, Aldermen and Commonalty of the City of* New-York, and by divers other names, stiles, and titles, and otherwise.

Recital of sundry other franchises, lands, and tenements, held by the corporation;

As well by prescription as by grant and otherwise.

And whereas, divers questions, doubts, opinions, ambiguities, controversies, and debates have arisen and been made as well upon and concerning the validity and force of the said recited grant or writing, dated in the year of our Lord, one thousand six hundred and eighty-six, and the before recited letters patent of Queen Anne, as upon all and every the other grants and confirmations of divers governors, lieutenant-governors, and commanders in chief, made to our city of New-York, as aforesaid, by reason of the variety of names, stiles, titles, and incorporations aforesaid, and by reason that the before recited grant or instrument, dated in the year of our Lord one thousand six hundred and eighty-six, and the other grants and confirmations of divers governors, lieutenant-governors and commanders in chief, were made in the governors' own names respectively, when they should have been made in the respective names, stiles and titles of former kings and queens, our royal predecessors, under whom they were governors, lieutenant-governors, or commanders in chief, respectively, and by reason, as some suggest and say, that the said city, or inhabitants or citizens thereof, never were well, regularly, or legally incorporated, and for want thereof, none of all the said grants, confirmations, instruments, or letters patent, herein before mentioned, could take effect or operate; and for divers other defects in all, some or one of the aforesaid grants, confirmations and writings; and also upon the validity and force of the prescription aforesaid. *And whereas*,

Sundry disputes concerning the invalidity of the former Charters;

And that the Corporation were never well or regularly incorporated; & of the invalidity of their prescription.

our well beloved subjects, the Mayor Aldermen, and Commonalty of our said city of New-York, by their humble petition, presented to our trusty and well beloved John Montgomerie, esq. our captain-general, and governor in chief of our provinces of New-York and New-Jersey, and territories depending thereon in America, and vice admiral of the same, &c in council, reciting among other things, that the city of New York is an ancient city, and the citizens thereof have anciently held and used, and still do hold and use divers and sundry rights, liberties, privileges, franchises, free customs, pre-eminences, advantages, jurisdictions, emoluments, immunities, lands tenements, public buildings, and hereditaments as well by the name of *the Mayor, Aldermen and Commonalty of the City of* New-York, as otherwise, to the advancement of the said city in its number of buildings and inhabitants, whereby the said city is become a considerable sea-port, and exceedingly necessary and useful to our kingdom of Great Britain, in supplying our governments in the West Indies with bread, flour, and other provisions; wherefore they prayed, among other things, for our confirmation and grant to the said city, and corporation, by the name, stile, and title of *The Mayor, Aldermen and Commonalty of the City of* New York, of all their lands, tenements, public buildings, and hereditaments, wharves, docks, bridges, slips, ferries, cranes, grants, charters, rights, liberties, privileges, franchises, free customs, pre-eminences, advantages, jurisdictions,

Petition of the corporation for a new charter recited.

To grant and confirm all their former franchises, lands and tenements.

emoluments, and immunities, now and heretofore by them held and enjoyed; and that they might have the soil four hundred foot beyond low water mark, on Hudson's River, from a certain creek or kill called Bestaver's Killitie, southard to the fort, and from thence, the same number of feet beyond low water-mark, round the fort, and along the East River, as far as to the north side of a certain hill called Corlaer's Hook; and also for a grant of such other powers, liberties, franchises, rights, free customs, jurisdictions, privileges, immunities, and things, as may be needful for the good rule and government of the said city. *And we*, considering that the strength and increase of our good subjects, in that our frontier province, of New-York, does, in a great measure, depend upon the welfare and prosperity of our said city, wherein the trade and navigation thereof are chiefly and principally carried on, promoted, and encouraged; and we affecting the good and happy estate of our said city, and the steady loyalty and integrity of the inhabitants and citizens thereof, are very desirous and willing to give encouragement to the said city, inhabitants, and citizens, and to remove, utterly abolish, and wholly take away all and all manner of causes, occasions, and matters, whereupon such questions, doubts, opinions, ambiguities, controversies, or debates, as aforesaid, or any other questions or doubts may or can arise; and in order thereunto, we have thought fit, them, the said inhabitants and citizens of the said city of New-York, (by whatsoever name or names they have

And to have the soil 400 foot below ow water mark, on Hudson's river.

Motive inducing the Crown to grant a new Charter.

The Crown willing that a corporation be founded by the name of The Mayor, Aldermen, and Commonalty of the city of New-York.

been or were incorporated, or whether they have been or were heretofore incorporated or not) into one body politic and corporate, by the name of *The Mayor, Aldermen, and Commonalty of the City of* New-York, by our letters, to make, constitute, confirm, renew, and of new to create. *And we* being also further willing and fully intending and desiring, that the said inhabitants and citizens of our said city, by the name aforesaid, should have perpetual succession, and should hold possess, and enjoy, all and singular, the rights, privileges, liberties, franchises, pre-eminences, advantages, jurisdictions, courts, powers, offices, authorities, fe-

And that they should enjoy all their former privileges, franchises and hereditaments.

ries, fees, fines, perquisites, profits, immunities, rents, possessions, lands, tenements, and other hereditaments, not only which in the before recited grants, confirmations, writings, and letters patent, are mentioned, or intended to be thereby granted, but also, which they have held, or claimed to hold, by prescription or otherwise, with the alterations and enlargements thereof, and additions thereto, in such manner and form as hereinafter is mentioned and contained, notwithstanding the before mentioned, or any other questions, doubts, opinions, ambiguities, debates, faults, or imperfections.

Wherefore know ye, That we, of our especial grace, certain knowledge, and meer motion, have willed, ordained, constituted, confirmed, given, and granted, and by these presents, for us, our heirs, and successors do will, ordain, constitute, confirm, give and grant, that our said City of New-York, be-

and from henceforth forever hereafter shall be and remain a free city of itself; and that the Mayor, Aldermen, and Commonalty of the said city, and their successors, from henceforth and forever hereafter, shall be and remain one body corporate and politic, *in re facto, and nomine*, by the name of, *The Mayor, Aldermen, and Commonalty of the city of* New-York, and them and their successors by the name of, *The Mayor, Aldermen, and Commonalty of the city of* New-York, one body corporate and politic, *in re facto, and nomine*, really and fully, we do for us, our heirs and successors, erect, make, ordain, constitute, confirm, declare, and create, by these presents, and that, by that name, they shall and may have perpetual succession; and also, that they and their successors, by the said name of, *The Mayor, Aldermen, and Commonalty of the city of* New-York, be, and forever hereafter shall be, persons able in law, and capable to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places before us, our heirs and successors, and before all and any the judges, justices, officers, and ministers of us, our heirs and successors, and elsewhere in all and all manner of actions, suits, complaints, pleas, causes, matters, and demands, whatsoever, and of what kind or nature soever, in as full and ample manner and form, as any of our other liege subjects of our said Province, being persons able and capable in law, can or may sue and be sued, implead and be impleaded, answer and be an-

The city of New-York made a free city of itself.

Corporation created by the name of, The Mayor, Aldermen, and Commonalty of the city of New-York.

And by that name to have perpetual succession.

And to sue and be sued in all courts.

swered unto, defend and be defended, by any lawful ways and means whatsoever. *And also*, That they and their successors, by the same name of, *The Mayor, Aldermen, and Commonalty of the city of* New-York, be and shall be, forever hereafter, persons capable and able in law, to purchase, take, hold, receive, enjoy, and have, any messuages, houses, buildings, lands, tenements, rents, possessions and other hereditaments, and real estate, within or without our said Province, in fee and forever, or, for term of life, or lives or years, or in any other manner; and also goods, chattels, and all other things, of what kind or quality soever.

And capable to purchase and hold lands, tenements, goods and chattels.

And to sell, let, and dispose thereof.

And also, That they and their successors by the same name of, *The Mayor, Aldermen, and Commonalty of the city of* New-York, shall and may give, grant, demise, assign, and sell, or otherwise dispose of all or any the messuages, houses, buildings, lands, tenements, rents, possessions, and other hereditaments, and real estate, and all their goods, chattels, and other things aforesaid, as to them shall seem meet, at their own will and pleasure.

Corporation to have a common seal.

And also, That the said Mayor, Aldermen, and Commonalty of the city of *New-York*, for the time being, and their successors, shall and may forever hereafter, have and use a common seal for sealing all and singular deeds, grants, conveyances, contracts, bonds, articles of agreements, assignments, powers, authorities, and all and singular their affairs and things, touching or concerning the said corporation: And, by virtue of these our letters,

it shall and may be lawful to and for the said Mayor, Aldermen, and Commonalty of the city of *New-York*, and their successors, as they shall see cause, to break, change, and new-make the same, or any other common seal, when, and as often as to them it shall seem convenient. And may alter or new make the same.

And we do further, of our especial grace, certain knowledge, and meer motion, for us, our heirs and successors, give, grant, order, and appoint, that the said city of *New-York*, and the compass, precincts, circuit, bounds, liberties, and jurisdictions, of the same, do reach, extend, and stretch forth, and shall and may reach, extend, and stretch forth, as well in length as in breadth and circuit, in and through the limits and boundaries following, *to wit:* To begin at the river, creek, or run of water, called *Spyt den Duyvel*, over which King's Bridge is built, where the said river or creek empties itself into the North River, on Westchester side thereof, at low water-mark, and so to run along the said river, creek, or run, on Westchester side, at low water-mark, unto the East River, or Sound, and from thence to cross over to Nassau-Island, to low water mark there, including Great-Barn-Island, Little-Barn Island, and Manning's-Island, and from thence all along Nassau-Island shore at low water-mark, unto the south side of the Red-Hook; and from thence to run a line across the North River, so as to include Nutten-Island, Bedlow's Island, Bucking Island, and the Oyster-Island, to low water-mark on the west side of the North River, or so far as the limits of our said Extent of the City.

province extended there, and so to run up along the west side of the said river, at low water-mark, or along the limits of our said province, until it comes directly opposite to the first mentioned river or creek, and thence to the place where the said boundaries first began. And also, that the said city, within the limits and jurisdictions thereof as aforesaid, be, and forever hereafter shall be, and remain divided into seven wards,* to wit: the West Ward, the South Ward, the Dock Ward, the East Ward, the North Ward, Montgomerie Ward, and the Out Ward; each and every of which wards, shall contain and comprehend, and reach and extend through the several limits and bounds following, to wit:

City to be divided into seven Wards.

Their names.

Bounds of the West Ward.

The West Ward to begin at the middle of the east end of the street that goes from the Parade to the North River, between the lot of ground now in fence, belonging to Charles Sleigh, and the house and ground late of Thomas Elde; and from thence to run a direct line over to the middle of the west end of Beaver-street, and so along to the middle of Beaver-street, till it comes directly opposite to the middle of the south end of New-street, and then to run all along the middle of New-Street, to the north end thereof; and from thence to run to the rear of the dwelling-house, now in the possession of Domine Du Bois, and from thence to run all along the rear of the houses that front the Broad-Way, up

* The number of Wards has been since increased to fifteen, and the boundaries altered by an Act of the Legislature. See the Appendix.

to the north part of the rear of Spring-Garden-house; and from thence, to run up a line, as the Broad-Way runs, to the end thereof, including the said Broad-Way; and John Harris, his house, and to include all other houses, hereafter to be built fronting the said Broad-Way, and from the north end of the Broad-Way to continue and run a line, as the said street runs, until it comes directly opposite to Bestaver's Killitie, or rivulet, and from thence to run to the said Bestaver's Killitie, and so to continue the said line, four hundred foot, beyond low water-mark, into the North-River, and so down the said North-River, always keeping four hundred foot beyond low water-mark, until it comes directly opposite to the middle of the west end of the first mentioned street; and so to run to and through the middle of the said street to the place where the said west ward first began.

Bounds of the South Ward.

The South Ward, to begin at the middle of Wall-street, where the line of the west ward runs across the same, and from thence down the middle of Wall-street, until it comes directly opposite to the middle of the north end of Broad-street; and from thence down the middle of Broad-street to the long bridge; and from thence to the eastward of, and to include the said long bridge, and the market house at the south end of the said street; and from thence to continue and run a south-east line, across the East-River to low water-mark, on Nassau-Island shore; and from thence to run along the said shore at low water-mark, to the south side of Red-Hook, and

from thence to a line across the North River, so as to include Nutten Island, Bedlow's-Island, Bucking-Island, and the Oyster Island, to low water-mark, on the west side of the North River; and so to run up along the west side of the said river, at low water-mark, until it comes directly opposite to Bestaver's Killitie, or rivulet; and from thence to run to the north westerly corner of the West Ward, at four hundred foot beyond low water-mark; and from thence along the bounds of the said West Ward, till it comes to the south-westerly end thereof; and from thence, still along the bounds of the West Ward, through the street by the parade, and through Beaver-street, and New-street, to the place where the said South Ward began.

Bounds of the Dock Ward.

The Dock Ward to begin at the middle of Wall-street, directly opposite to the middle of the north end of Broad-street, and from thence down through the middle of Wall-street until it comes to the middle of Smith-street; thence down through the middle of Smith-street to a place called Marten Clock's Corner, including the small street between the house late of the said Marten Clock and the Slip, and so to continue and run a line as the said small street runs, into the East River four hundred foot below low water-mark, thence running westerly, keeping four hundred foot below low water-mark, till it comes to the bounds of the South Ward, and from thence along the bounds of the South Ward, up the middle of Broad-street, to the place where the said Dock Ward began.

Bounds of the East Ward.

The East Ward to begin at the north-easterly corner of the Dock Ward, in the middle of Smith-street, and so run from thence up through the middle of the said street, till it comes directly opposite to the middle of the north-easterly end of Golden-Hill-street; and from thence to run down through the middle of the said street to the middle of the south-easterly end thereof; and from thence to run through the middle of Rodman's Slip to the East River; and from thence to continue and run a line as the said slip runs, into the East River, four hundred foot below low water-mark; thence running westerly, keeping four hundred foot below low water-mark, till it comes to the south easterly end of the Dock Ward; and so along the bounds of the Dock Ward, up through the middle of Smith-street, to the place where the East Ward began.

Bounds of the North Ward.

The North Ward, to begin where the East Ward begins, in the middle of Smith street, and so to run from thence through the middle of the said street so far as it runs, and so to continue a line, from the end of the said street, as the street runs, to the south side of the creek that runs from fresh water into the East River; and from thence running a north course till it comes to the bounds of the West Ward; and from thence running along the bounds of the said West Ward towards Spring-garden, and all along the rear of the houses fronting the Broad-Way, and so still along the bounds of the said West Ward, to the middle of Wall-street, where the

West Ward runs across the same; and from thence down the middle of Wall street, along the bounds of the South Ward, and the Dock Ward, to the place where the said North Ward began, including in the same ward, the Powder-House, the City-Hall, and the Presbyterian Meeting-House.

Bounds of Montgomerie Ward.

Montgomerie Ward to begin at the south-easterly corner of the East Ward, opposite to Rodman's-Slip, four hundred foot below low water-mark, in the East River, and from thence to run along the bounds of the East Ward, to and through the middle of Rodman's-Slip, and all through the middle of Golden-Hill-street, till it meets with the boundaries of the North Ward, and the middle of Smith-street, and so along the bounds of the North Ward, through the middle of Smith street to the rivulet that runs from fresh water into the East River; from thence along the said rivulet so far as it goes, till it empties itself in the said East River; and from thence to run a south-east line, four hundred foot beyond low-water-mark, into the said East River, and from thence running westerly, keeping four hundred foot beyond low water mark, to the place where the said Montgomerie Ward began.

Bounds of the Out Ward.

The Out Ward to begin at the north-westerly corner of the South Ward, at low-water-mark, on the west side of the North River, over against Bestaver's Killitie or rivulet, and from thence to run up along the west side of the said river, at low water-mark, until it comes directly opposite to the river

creek, or run of water, called *Spyt den Duyvel*, over which King's-Bridge is built; and from thence to run to the said creek, or river, to the Westchester side thereof, at low water-mark, and so to run along the said river, creek, or run on Westchester side, at low water-mark, into the East River, or Sound, and from thence to cross over to Nassau-Island, to low water-mark there, including Great-Barn-Island, Little Barn-Island, and Manning's-Island, and from thence along Nassau-Island shore, at low water mark, to the bounds of the South Ward; and from thence along the bounds of the South Ward, the Dock Ward, the East Ward, and Montgomerie Ward, to the place where the said Montgomerie Ward and the North Ward meet, at the rivulet that runs from fresh water, and so to run a North course as the said North Ward runs, till it comes to the bounds of the West Ward; and from thence along the bounds of the West Ward to the north-westerly corner thereof, at four hundred foot beyond low-water mark, near Bestaver's Killitie, or Rivulet; and from thence along the bounds of the South Ward to the place where the said Out Ward began.

Grant that there be forever, one Mayor, one recorder, seven aldermen, seven assistants, one sheriff, one co-

And we do further, of our special grace, certain knowledge, and meer motion, for us, our heirs, and successors, will, ordain, give, and grant, that there be, and forever hereafter shall and may be one *Mayor*, one Recorder,* seven Aldermen, seven As-

* There are now fifteen Aldermen, fifteen Assistants, thirty Assessors fifteen Collectors, and thirty Constables, in consequence of the increase in the number of the Wards.

roner, one common clerk, one chamberlain, one high constable, sixteen assessors, seven collectors, sixteen constables, and one marshal.

sistants, one Sheriff, one Coroner, one Common Clerk, one Chamberlain, one High Constable, sixteen Assessors, seven Collectors, sixteen Constables, and one Marshal, appointed, nominated, elected, chosen, and sworn, in and for the said city of *New-York*, and the precincts, and limits thereof; out of the freeholders or freemen, inhabitants of the said city, in manner and form as hereinafter is particularly mentioned: And for the better execution of our will, gift, and grant in this behalf, we have assigned, named, constituted, and made, and by these presents, for us our heirs, and successors, do assign, name, constitute, and make, our well beloved *Robert Lurthing*, esq to be the present Mayor, of the same city, to do and execute all things, which unto the office of Mayor of the said city, doth or may belong, or in any wise appertain. *And we do moreover*, for us, our heirs, and successors, give, grant, ratify, and confirm, unto the said Mayor of our said city of *New-York*, and to his successors, and to the Mayor of the said city, for the time being, and to each of them, forever, full power and authority to depute and appoint one of the Aldermen of the said city, for the time being, to be approved of by the Governor, or Commander in Chief of the said province, for the time being in the place of the Mayor of the said city, for the time being; and as his deputy, in all matters and respects, to act and do all things, which to the office of the Mayor of the said city, within the limits, liberties, and precincts thereof, do, or ought to belong during the sickness, or in the absence, of the said Mayor, for the time being.

Mayor named.

Power to make one of the Aldermen his deputy whom the Governor shall approve of.

Who shall act as mayor in the sickness or absence of the Mayor.

And we do hereby Will and Grant, That every such deputy or person so to be appointed and approved of, after having taken such oath, as herein after is directed, for every such deputy to take, shall have as full power and authority to act and do, in the sickness or absence of the Mayor of the said city, for the time being, all and singular, those things which to the office of Mayor of the said city belongs, or shall belong, or appertain, to all intents and purposes, as the Mayor of the said city, for the time being, by virtue of these presents, or otherwise, hath, shall, or ought to have. *And we do further*, for us, our heirs, and successors, will, ordain, and grant, that, in case it should happen that the present Mayor of the said city, or any of his successors, or any of the Mayors of the said city, for the time being, should happen to die before any other fit person shall be appointed and sworn Mayor of the said city, in their respective rooms and places, then, and in every such case, upon the death of such Mayor, such Aldermen for the time being (who shall have been so appointed and approved of as aforesaid, to act in the place of, or as deputy to, such Mayor) shall be, and he is hereby appointed and declared Mayor of the said city, and to continue and be continued in, and to execute the same office of Mayor of the said city, from the death of such Mayor so dying, until another fit person shall be appointed and sworn Mayor of the said city, in such manner as in and by these presents is here-

Power to the deputy mayor, after taking oath, to act & do all things belonging to the office of mayor (in the sickness or absence of the Mayor.)

If any Mayor die before another be appointed,

then the deputy mayor to be mayor until another be appointed and sworn.

after directed for the respective Mayors of the said city, to be appointed and sworn, and so as often as such case shall happen.

And further we have assigned, ordained, named, and constituted, and by these presents do, for us, our heirs, and successors, assign, ordain, name, and constitute, our trusty and well beloved *Francis Harrison*, esq. (one of our Council of our said province of *New York*) to be the present Recorder of our said city, to do and execute all things, which unto the office of Recorder of the said city doth or may belong, or in any manner appertain, and to continue, and be continued in, and to execute the said office, until another fit person shall be appointed and sworn in the office. *AND* We do hereby appoint, That the Governor or Commander in Chief for the said province, for the time being, at any time or times, when, and as often as they or each of them think fit, may displace and remove the present Recorder, or any other Recorder, hereafter to be appointed.

Recorder named.

Governor to remove the Recorder at pleasure.

And we do, for us, our heirs, and successors, assign, name, constitute, and appoint, John Cruger, Harmanus Van Gelder, Frederick Phillipse, Gerardus Stuyvansant, Anthony Rutgers, John Rosevelt, and Johannes Hardenbrook, esqrs. citizens and inhabitants of the said city of *New-York*, to be the present Aldermen of the said city; and Egbert Van Borssom, Samuel Kip, John Chambers, John Moore, Isaac De Peyster, Petrus Rutgers, and Gerardus Beekman, gents. to be the present assistants of the said city, to wit: The

Aldermen named.

Assistants named.

said John Cruger, to be Alderman, and John Moore, to be Assistant, for the Dock Ward of the said city; Harmanus Van Gelder, to be Alderman, and John Chambers, to be Assistant, for the West Ward of the said city; Col. Frederick Philipse, to be Alderman, and Isaac De Peyster, to be Assistant, for the South Ward of the said city; Gerardus Stuyvesant, to be Alderman, and Samuel Kip, to be Assistant, for the Out Ward of the said city; Anthony Rutgers, esq. to be Alderman, and Egbert Van Borssom, to be Assistant, for the North Ward of the said city; John Rosevelt, to be Alderman, and Petrus Rutgers, to be Assistant, for the East Ward of the said city; Johannes Hardenbrook, to be Alderman, and Gerardus Beekman, to be Assistant, for Montgomery Ward of the said city.

And for what wards.

Chamberlain named.

And we do, also, hereby nominate and appoint Cornelius De Peyster, to be the present Chamberlain and Treasurer of the city aforesaid; Colonel Henry Beekman to be the present Sheriff of the said city; Richard Nichols, gent. to be the present Coroner of the said city; Edmund Peers, to be the present High Constable, and Robert Crannel, to be present Marshal of the said City.

Sheriff, coroner, high constable and marshal.

And, also, We do hereby nominate and appoint John Le Montes, David Abeel, Assessors, Nicholas Van Taerling, Collector, and John Scott, Constable, for the South Ward of the said city; John Thurman, and John Bogart, Assessors, and John Pearse, Collector for the West Ward of the said city; Gerardus Duyckinck, and Simeon Soumain, As-

Assessors, collectors, and constables named, and for what wards.

sessors, George Brinckerhoof, Collector, and Christopher Nicholson, Constable, of the Dock Ward of the said city; John Brown and Nathaniel Marston, Assessors, Peter Noxen, Collector, and Timothy Bontecou, Constable, of the North Ward of the said city; John Pintard and Peter Van Dyck, Assessors, Ebenezer Grant, Collector, and John Abrahamson, Constable, of the East Ward of the said city; Jacobus Kip, Assessor, and Cornelius Cousine, Collector, for the Bowery Division of the Out Ward; and Barent Waldren, Assessor, Derick Bensing, Collector, and Arent Bussing, Constable, for the Harlem Division of the said Out Ward.

Within forty days other collectors, assessors, and constables, to be chosen.

And we do, hereby appoint, order, and direct, that within forty days after the date hereof, the freemen of the said city being inhabitants in, and the freeholders of each respective ward in the said city, may and shall assemble themselves and meet together, at such time and place, in each of the said wards, as each respective Alderman, for each respective ward, shall appoint, and then and there, by plurality of their voices or votes, to elect and choose out of the inhabitants of each respective ward, being freeholders there, or freemen of the said city, the several officers following, to wit, one other Constable for the South Ward; one other Constable for the West Ward; one other Constable for the Dock Ward; one other Constable for the East Ward; two Assessors, one Collector, and two Constables for Montgomerie Ward; and two other Assessors, and three other Constables, for the Out Ward, to wit:

And for what Wards.

one other Assessor, and two Constables, for the Bowry Division, and one other Assessor, and one other Constable, for the Harlem Division of the said Out Ward. *And we do,* hereby will and ordain, that each and every of the before named Mayor, Aldermen, Assistants, Chamberlain, Coroner, High Constable, and Marshal, and all and every the before named Assessors, Constables, and every other Assessor and Constable, hereafter to be chosen for any ward, or division of a ward, in the said city, before next *Michaelmas* day on their being respectively sworn into their respective offices, as hereafter is directed, shall continue in their said respective offices, until the fourteenth day of October, next, ensuing the date hereof, and from thence until other fit persons be respectively chosen and sworn in their respective rooms and places in manner and form, as is hereinafter directed. *And* we do also further ordain, order, and declare, for us, our heirs, and successors, that as well, the before named Sheriff, as every other person and persons hereafter to be appointed for or to the office of Sheriff of the said city, before he or they be permitted to exercise the said office, shall each of them give and enter into bond, to us, our heirs, and successors, with two or more sufficient sureties, in a penalty not less than one thousand pounds, conditioned for the faithful and due execution of his said office, in such manner as the Governor or Commander in Chief of the said province of New-York, for the time being, shall think fit and appoint: And the before named Sheriff on

Officers to take an Oath.

And to continue until 14th Oct. in their offices.

Sheriff to enter into bond in 1000l penalty for the due execution of his office.

his giving such security, and having taken such an oath as hereafter is directed, shall continue in his said office, until the fourteenth day of October, next ensuing, and from thence until another fit person is appointed and sworn into the said office, and has given such security as aforesaid.

Governor to appoint the Mayor,

And we do hereby further, for us, our heirs, and successors, appoint, and ordain, that the Governor or Commander in Chief of the said province of New-York, for the time being, by and with the advice of the council of us, our heirs, and successors, for the said province, for the time being, from time to time, shall have full power and authority, on the feast day of *St. Michael*, the Arch-Angel, in every year, forever hereafter, to name and appoint, and can, shall and may name and appoint, a discreet and fit person of the freeholders, freemen, or inhabitants of the said city, to be Mayor* of the said city; and one other fit and able person, one of the freeholders or freemen, being an inhabitant of the said city, to be Sheriff of the said city; and one other such person, to be Coroner of the said city, all for the ensuing year.†

Sheriff and coroner, yearly.

Freemen, and freeholders to choose aldermen, assistants, collectors, and constables, yearly on the feast of St. Michael.

And also, that on the said feast day of *St. Michael*, the Arch-Angel, in every year, forever hereafter, the freemen of the said city, being inhabitants, and the freeholders of each respective ward in the said city, shall and may assem-

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* The Mayor is now appointed by the Common Council, and the Sheriff elected by the people.

† Our Charter Elections are now held on the Second Tuesday in April, and the elective franchise is extended.

ble themselves and meet together, at such time of the day, and such public place in each of the said wards, as each respective Alderman, for each respective ward, for the time being, shall appoint; and then and there, by plurality of their voices or votes, to elect and choose out of the inhabitants of each respective ward, being freeholders thereof, or freemen of the said city (except the Out Ward) for the ensuing year, one Alderman, and one Assistant, two Assessors, one Collector, and two Constables; and for the said Out Ward, four Assessors, two Collectors, and four Constables, to wit: two Assessors, one Collector, and two Constables, for each division of the said ward. *And also*, That the Mayor of the said city, for the time being, and four or more Aldermen, and four or more of the Assistants of the said city, for the time being, on the feast day of *St. Michael* the Arch Angel, in every year forever hereafter, shall and may in common council, name and appoint one fit person, being a freeholder, or freeman, and an inhabitant of the said city, to be treasurer* or chamberlain of the said city, for the year ensuing; and also that on the same day in every year, for ever hereafter, the Mayor of the said city, for the time being, shall name and appoint one other of the said inhabitants, being a freeholder or freeman of the said city, to be High Constable of the said city, for the year ensuing; every of which persons, so to

The mayor & four or more aldermen and assistants to appoint a chamberlain yearly, on the feast of St. Michael, in common council.

* The Treasurer is appointed by the Common Council.

And the mayor then to appoint the high constable.

be named for Mayor, Coroner, High Constable, or Chamberlain, or so to be elected for Alderman, Assistant, Assessor, or Constable, on the feast day of *St. Michael*, shall on the fourteenth* day of October then next ensuing their nomination, or election respectively, take the respective oaths hereinafter appointed for them respectively to take, in such manner and form as hereinafter is directed, and shall continue in their said respective offices, from their being so respectively sworn, until other fit persons be respectively named, or elected, and sworn in their respective rooms and places. *And also*, That every person so to be named for Sheriff, on the said feast day of *St. Michael*, shall on the fourteenth day of October, then next ensuing his nomination. take such oath as is hereafter appointed for each Sheriff to take, and shall give such security as is hereinbefore appointed for each Sheriff to give, and shall remain in the said office, from the time of his being so sworn and giving such security, until another fit person shall be appointed and sworn into the said office, and shall have given such security as aforesaid. *And we do further*, for us, our heirs and successors, appoint and ordain, that if it should happen that either the Mayor, Sheriff, or Coroner, of the said city, for the time being, at any time (before other fit persons be so as aforesaid respectively named and sworn, in their respective rooms) should happen to

Officers to take an oath on the 14th of Oct after being appointed and chosen.

And continue till others be chosen in their rooms.

Sheriff at the same time to give Bond, and be sworn.

Mayor, Sheriff, or Coroner, dying, before others named and put in their rooms, the Governor to appoint others.

* Charter Officers are now sworn on the second Tuesday in May except the Mayor, Recorder, Sheriff, or Coroner, who may be sworn into office at any time.

die, then, and so often as it shall so happen, it shall and may be lawful for the Governor and Commander in Chief of the said province, for the time being, by and with the advice of the said council for the said province, for the time being, in some convenient time thereafter, to name and appoint some fit and discreet person, being an inhabitant, freeholder, or freeman of the said city, to be Mayor of the said city in the room of such Mayor so dying; and one other fit and able person, as aforesaid, to be Sheriff of the said city, in the room of such Sheriff so dying; and one other fit person as aforesaid, to be Coroner of the said city, in the room of such Coroner so dying; and that every such person, so to be named Mayor, after having taken such oath, as is hereby appointed for each Mayor to take, shall remain in, and execute the said office of Mayor of the said city, until the 14th day of October then next ensuing, and until another fit person be named and sworn into the said office of Mayor of the said city; and every such person so to be named Sheriff, after having sworn and given such security, as is hereby appointed for each Sheriff to do, shall have, exercise, and remain in the said office of Sheriff of the said city, until the 14th day of October, then next, and until another fit person be named and sworn in the said office of Sheriff, and shall have given such security as herein before is appointed for each Sheriff to give, and every person, so to be named Coroner, after having taken such oath as appointed

Who shall take the Oaths; and Sheriff to give security.

And to execute their respective offices.

If any freeholder or freeman shall be chosen Alderman, assistant, assessor, collector or constable, or appointed high constable and have notice thereof, shall refuse to do or serve for what he is chosen

And we do further, for us, our heirs, and successors, ordain, grant, and confirm, unto the said Mayor, or Aldermen, and Commonalty of the city of New-York, and their successors, forever, that if any one of the inhabitants of the said city of New York, being a freeholder or freeman, as aforesaid, shall hereafter be elected or chosen to the office of Alderman, Assistant, Assessor Collector, or Constable, for any ward in the said city, or shall be appointed to be High Constable of the said city, and have notice of his said election, shall refuse, deny, delay, or neglect, to take upon him or them to execute such office, to which he or they shall be so chosen or elected for, that then and so often as it shall happen, it shall and may be lawful for the Mayor, or his Deputy, or Recorder, and any four or more of the Aldermen, and any four or more of the Assistants of the said city, for the time being, in Common Council, to tax, assess, and impose, upon every such person or persons, so refusing denying, delaying, or neglecting, such reasonable and moderate fine and fines, sum and sums of money, as they the said Mayor, or his Deputy, or Recorder, and any four or more Aldermen, and any four or more Assistants, in Common Council, shall think fit, so as such fine, for each refusal, denial, delay, or neglect, shall not exceed the sum of fifteen pounds current money of New-York; all which said fines shall and may be levied, by distress and sale of the goods and chattels of such delinquent and delinquents, by warrant under the seal of the said city, signed by the Mayor thereof, for the time being,

The common council to impose a fine not exceeding fifteen pounds to be levied and received.

rendering the surplusage to the owner or owners thereof, (if any be) the necessary charges of making and selling such distress being first deducted, or, by action of debt, in any court of record, to be prosecuted, or any other lawful method to be obtained; and shall be recovered and received by, and to the use of the said Mayor, Aldermen, and Commonalty of the city of New-York, and their successors forever, without any account thereof to be given to us, our heirs, or successors, or to any of the officers, or ministers of us, our heirs, or successors: And upon every such refusal, or neglect, other fit persons to be elected and chosen, in the room and rooms of such persons so neglecting, or refusing, in such manner, as is before directed, or appointed, for electing and choosing of Aldermen, Assistants, Assessors, Collectors, and Constables, and for appointing a High Constable, upon the death or removal of any of them respectively; and so as often as such cases shall happen.

To the use of the corporation,

And others to be chosen in their rooms.

And we do hereby, for us, our heirs, and successors, grant, appoint, and ordain, that if it shall happen, that the day or days appointed for the naming, appointing, electing, or choosing, or for administering any oath or oaths to any of the officers, or ministers, of the said corporation, shall happen to fall on a Sunday, then, and in such case, such naming, appointing, electing, or choosing, so to be made, shall be made, and such oath, or oaths, so to be administered, shall be administered on the next day, and so as often as such case shall happen.

If the day of election or administering oaths fall on a Sunday, the same to be made on the day following.

And further we do, of our especial grace, certain knowledge, and meer motion, for us, our heirs, and successors, give, grant, ratify, and confirm, unto the said Mayor, Aldermen, and Commonalty of the city of New-York, and their successors, forever,

The Mayor or Recorder, and four or more Aldermen, with four or more Assistants, to be a common council.

that the Mayor or Recorder, with four* or more Aldermen, and four or more Assistants of the said city, for the time being, be, and shall be forever hereafter, called the Common Council of the city of New-York: And that the said Common Council of the said city, for the time being, or the major part of them, have and may, and shall have full power, authority, and licence, to frame, constitute, ordain, make, and establish, from time to time, all

And have power to make bye-laws.

such laws, statutes, rights, ordinances, and constitutions, which to them, or the greater part of them, shall seem to be good, useful, or necessary, for the good rule and government of the body corporate aforesaid; and of all officers, ministers, artificers, citizens, inhabitants, and residents, of the said city, within the limits thereof, and for declaring how and after what manner and order, the Mayor, Recorder, Aldermen, and Assistants of the said city, for the time being, and all and every of their officers and ministers, and all artificers, inhabitants, and residents of the same city, and their factors, servants, and apprentices, in their offices, functions, and business, within the said city and the liberties thereof, for the time being, and from time to time, shall use, carry, and behave themselves; and for the farther

* There are now a Board of Aldermen, and a Board of Assistant Aldermen. Eight members form a quorum of either Board.

public good, common profit, trade, and better government and rule of the said city, and for the better preserving, governing, disposing, letting, and setting, of the lands, tenements, possessions, and hereditaments, goods, and chattels, to the aforesaid Mayor, Aldermen and Commonalty of the said city of New-York belonging, or to them and their successors hereafter to belong, and all other things and causes whatsoever touching or concerning the said city, or the state, right, and interest, of the same, (provided that such laws be not contradictory or repugnant to the laws or statutes of that part of our kingdom of Great Britain called England, or of our said province) which laws, statutes, ordinances, and constitutions, so to be made as aforesaid, may be and remain in force for twelve months from the day of the date thereof, and no longer, unless they shall be allowed of, and confirmed by the Governor and Council of the said province, for the time being: and that the said common council of the said city, for the time being, or the greater part of them, as often as they shall make, ordain, and establish, such laws, statutes, rights, orders, and constitutions, in form aforesaid, may make, ordain, limit, and provide, such and the like paine, punishments, and penalties, either by fines and amerciaments, or by disfranchising and amoving from the liberties, privileges, immunities, and freedom of the said city, or by either of them, towards and against all and every person that shall offend against such laws, statutes, rights, orders, and constitutions, or any or either or them, as by

Provided such bye-laws be not repugnant to the laws of England or this province. And to continue in force for 12 months from the date, and no longer, unless approved and confirmed by governor and council.

Power to inflict penalties on those who shall disobey such bye laws either by disfranchising or fining.

the said Common Council, or the major part of them, shall be thought necessary and requisite to make, ordain, limit, and provide, for the observation and preservation of the same laws, rights, statutes, ordinances, and constitutions; and the same fines and amerciaments shall and may, from time to time, levy, receive, have, and recover, either by distress and sale of the goods and chattels of such delinquent and delinquents, by warrant under the hand and seal of the Mayor or Recorder, or any one of the Aldermen, for the time being, rendering the surplusage to the owner or owners thereof (if any be) the necessary charges of making and selling such distress, being first deducted; or by action of debt, in any court of record to be prosecuted, or in any other lawful method to be obtained, and to the use of the said Mayor, Aldermen, and Commonalty of the city of New-York, and their successors forever, without any account thereof to be given to us, our heirs, and successors, or to any of the officers or ministers of us, or our heirs, or successors: all and singular, which laws, statutes, rights, ordinances, and constitutions, so as aforesaid to be made, we do, for us, our heirs, and successors, will to be observed, under the pains, penalties, and forfeitures, in the same contained. *And we do further*, of our especial grace, certain knowledge, and meer motion, for us, our heirs, and successors, give, grant, ratify, and confirm, unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors forever, that the Common Council of the said city, for the time being, or

Which fines by warrant under the hand and seal of the Mayor or Recorder or any one of the Aldermen shall be levied to the use of the corporation.

the major part of them, shall have the sole power of determining and deciding all elections of all and every their officers and ministers, hereafter to be chosen and elected in, or for the said corporation, or any part thereof.

Common Council to be called by the Mayor, or in case of his sickness or absence, by the Recorder.

And we do hereby, for us, our heirs, and successors, ordain, declare, give, and grant, unto the said Mayor, Aldermen, and Commonalty, and their successors, that the Common Council of the said city shall be summoned, called, and held, from time to time, so often, and at such times and places, as the Mayor, or in case of his sickness or absence, the Recorder of the said city, for the time being, shall think fit to appoint or direct; and that it shall and may be lawful to and for the said Common Council of the said city, or the major part of them, to assess and lay such reasonable fines and amerciaments in and upon every officer and member of the body corporate aforesaid, for the time being, who after having had due notice, or being duly summoned to appear or attend at any such Common Council, to be held for the said city, shall neglect so to do, or make default therein, or shall not appear or attend according to such notice or summons, in that behalf, or shew a reasonable cause, by the said Common Council, or the major part of them, at their discretion to be allowed, and so as often as such case shall happen, so that no such fine or amerciament for any one default of appearance or attendance of any such officer or member of the body corporate aforesaid, shall exceed the sum of twenty shillings, in the manner and form aforesaid, to be levied, and by, to, and

Common Council to fine every member who shall not attend on notice given.

Unless he shew a reasonable cause to the contrary.

So as such fine for every non-attendance exceed not 20s.

To be levied to the use of the corporation.

for the use of the Mayor, Aldermen, and Commonalty, of the said city, and their successors, to be recovered and received, without any account thereof to be given to us, our heirs, or successors, or any of our or their officers or ministers. *And we do further*, for us, our heirs, and successors, give, grant, and confirm, unto the Mayor, Aldermen, and Commonalty, of the said city of New-York, and their successors forever, that the Common Council of the said city, for the time being, or the major part of them (but no other person or persons whomsoever without the consent, grant, or licence, of the said Common Council of the said city, for the time being, or the major part of them,) from time to time, and at all times hereafter, shall and may have the sole,

Power to the corporation to establish as many ferries as they shall think fit.

full, and whole, power and authority of settling, appointing, establishing, ordering, and directing, and shall and may settle, appoint, establish, order, and direct, such and so many ferries, round Manhattan's-Island, alias New-York-Island, for the carrying and transporting people, horses, cattle, goods, and chattels, from the said Island of Manhattan's to Nassau-Island, and from thence back to Manhattan's; and, also, from the said Island Manhattan's to any of the opposite shores all round the same Island, in such and so many places as the said Common Council, or the major part of them, shall think

And to lett, demise and dispose thereof, and receive all fees and profits arising therefrom.

fit, who have hereby, likewise, full power to lett, sett, or otherwise dispose of, all or any of such ferries, to any person or persons whomsoever; and the rents, issues, profits, ferriages, fees, and other advantages arising and accruing from all and every

such ferries; we do hereby fully and freely for us, our heirs, and successors, give and grant unto the Mayor, Aldermen and Commonalty, of the city of New-York aforesaid, and to their successors forever, to have, take, hold, and enjoy the same, to their own use, without being accountable to us, our heirs, or successors, for the same or any part thereof.

And we do further, for us, our heirs, and successors, give, grant, ratify, and confirm, unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors forever, that the Common Council of the said city, for the time being, or the major part of them, have, and from time to time, and at all times hereafter forever, shall have full power, licence, and authority, not only to establish, appoint, order, and direct, the making and laying out of all other streets, lanes, alleys, highways, water-courses, and bridges, not already made or laid out, but also the altering, amending, and repairing all such streets, lanes, alleys, highways, water-courses, and bridges, heretofore made or laid out, or hereafter to be made or laid out, in and throughout the said city of New-York, and the Island of Manhattan's, in such manner as the said Common Council, for the time being, or the major part of them, shall think or judge to be necessary and convenient for all inhabitants and travellers there.

Power to common council to build, repair, and lay out bridges, lanes, highways, streets, and alleys.

And further, we do hereby, of our especial grace, certain knowledge, and meer motion, for us, our heirs, and successors, give, grant, ratify, and con-

firm unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors, that they and their successors, shall and may have, hold, and keep, markets, at five several places (in the said city of New-York, on every day in the week throughout the year, except Sunday,) as follow, to wit: One market a Coenties-Dock; one other market at the Old-Slip, at Burgher's-Path; one other market at Countesses-Slip; one other market at the lower end of Wall-street: and one other market by the Long-Bridge. And, also, we do for us, our heirs, and successors, grant unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors forever, that they and their successors shall and may have, hold, and keep such and so many other markets, at such and so many other times and places in the said city of New-York, as shall from time to time be ordered, established, erected, and appointed, by the Common Council of the city aforesaid, for the time being, or the greater number of them.

Power to hold five markets every day, except Sunday.

And as many more as the Corporation think fit to establish.

And we do further, for us, our heirs, and successors, give and grant unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors, that they and their successors, may and shall have the assize and essay of bread, wine, beer, ale, and all other victuals and things whatsoever, set to sale in the said city and the liberties and limits thereof; and the amending and correcting of the same assize; and all amerciaments, fines and forfeitures to be laid and forfeited, concerning the same, or any part thereof, without any account thereof to

Grant to the Corporation of the assize of bread, wine, beer, ale and other assizeable merchandizes and things.

be given to us, our heirs, or successors; and to perform, do, and act, by themselves or their deputies all and every thing, needful or necessary in, about, or concerning the same.

And we do hereby further, for us, our heirs and successors, grant and give unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors for ever, the office of gauger of and in the said city, to gauge all and singular the wine, rum, brandy, mollasses, beer, ale, cider, and other merchandises and vessels guageable or to be gauged within the said city; except such liquors as are to pay duty by virtue of any Act of Assembly, until after they have been gauged by the public officer appointed for that purpose: And the office of measurer of and in the said city, to measure salt, wheat, oats, and other grain, and all other merchandises measureable or to be measured in the said city; and also the offices of surveyor and packer of bread, flour, beef, pork, and other provisions, and all other merchandises, and commodities to be surveyed, or packed in the said city; and also the office of cartage, carriage, and portage, of all goods, wares, merchandises, and other things to be carted or carried in or through the said city or any part thereof: And also the office of garbling of all manner of species, and other merchandises and things to be garbled in the city aforesaid: To have and to hold the several offices aforesaid and every of them, and the disposition, ordinances and corrections of the same, and to exercise the

Grant of the officer of gauger.

And the office of measurer.

Surveyor and packer.

Cartage and portage.

And of garbling.

With all fees and profits arising thereby.

same by themselves or their deputies; and to take and receive to themselves all fees, profits and perquisites, to the said offices and every of them, due or to be due, and all the fines, amerciaments and forfeitures to be laid and forfeited concerning the same, or any part thereof, to them the said Mayor, Aldermen, and Commonalty, and their successors, to their own proper use forever, without any account, or any other thing, to us, or our heirs, or successors, to be given or made.

Power for the Mayor and four or more Aldermen, to make free citizens under the common seal.

And further, That the Mayor of the said city, for the time being, or his deputy, for the time being, and any four or more of the Aldermen, for the time being, shall from time to time, and at all times forever hereafter, have full power and authority, under the common seal of the said city, to make free citizens of the said city and liberties thereof; and that every person so to be made a free citizens shall pay, on his being made free, for the use of the said Mayor, Alderman, and commonalty, of the city aforesaid, and their successors forever, a sum not exceeding five pounds, New-York money; and we do, for us, our heirs, and successors, give and grant unto the said Mayor, Aldermen, and Commonalty, and their successors forever, full power to ask, take, demand, and receive the same, to their own use and behoof, without any account thereof to be given to us, our heirs, or successors, or any other person or persons whatsoever.

The fees to be paid on making a freeman, not to exceed 5l. to the use of the corporation.

And we do hereby, for us, our heirs, and succes-

sors, constitute, appoint, and ordain, that no person whatsoever, not being a free citizen of the said city as aforesaid, shall, at any time hereafter, use any art, trade, mystery, or occupation, within the said city, liberties, and precincts thereof, or shall by himself, themselves, or others, sell, or expose to sale, any manner of goods, wares, merchandises, or commodities, by retail, in any house, shop, place, or standing, within the said city, or the liberties or precincts thereof; (save in the times of public fairs,) and that every such person, so using any art, trade, mystery, occupation, or so retailing, contrary to the intent and meaning of these our present letters, and shall persist therein, after warning to him or them thereof given, or left by the appointment of the Mayor of the said city for the time being, or his deputy at the place or places where such person or persons shall so use any art, mystery or occupation, or expose to sale, by retail as aforesaid, any goods, wares, merchandises, or commodities, as aforesaid, shall forfeit the sum of five pounds, New-York money, to and for the use of the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors, for every time that he or she shall so use any trade, mystery, or occupation, or expose to sale, by retail, as aforesaid, any goods, wares, merchandises, or commodities, after such warning given or left as aforesaid: all and every of which same forfeitures shall and may be levied by distress and sale of the goods and chattels of such delinquent and delinquents, by warrant under the

No unfreeman to use any trade or sell any goods by himself or others, by retail.

Except in the times of public fairs.

Fines for using a trade or selling goods not being free.

seal of the said city, signed by the Mayor thereof, for the time being or his deputy, rendering the surplusage to the owner or owners thereof (if any be) the necessary charges of making and selling, such distress being first deducted; or by any other lawful method to be obtained; and shall be recovered and received by and to the only use of the Mayor, Aldermen, and Commonalty of the city of New-York, and their successors for ever, without any account thereof to be given to us, our heirs, or successors, or to any of the officers or ministers of us, our heirs, or successors: *Provided always*, and we do hereby, for us our heirs and successors, direct, appoint and order, that no person or persons shall be made free as aforesaid, but such as are or shall be natural born subjects of us, our heirs, or successors, or shall be naturalized or made denizens. *And we do further*, for us our heirs and successors, ordain and appoint, direct, will, and grant, that all and every person and persons, now living, who at any time heretofore, have been admitted free citizens, or into the freedom of the said city of New-York, shall be and remain free thereof, and free citizens, and have and enjoy the said freedom, and all the rights and privileges of freemen and free citizens of the said city of New-York to all intents and purposes whatsoever.

To the use of the corporation.

No aliens to be made free.

All former freemen to remain so.

And, for the better preservation of good rule and order in the said city, we do, for us our heirs and successors, will, ordain, and grant, unto the Mayor, Aldermen, and Commonalty, of the said

city, and their successors, that the Common Council of the said city, for the time being, or the major part of them, shall have full power and authority to license or appoint by warrant, under the common seal of the said city, or otherwise, one or more surveyors of flour, bread, beef, pork, and other provisions, measurers of grain, salt, and all other comodities, gaugers of wine, beer, ale, cider, rum, brandy, and all other saleable or exciseable liquors, garbles, beadles, bell-men, watch-men, bridewell keepers, or keepers of a house or houses of correction, and of alms houses, cryers, and bell ringers, and to displace all or any of them and put others in their room, and to add or diminish the number of them, or any of them as often as the said Common Council of the said city, or the major part of them, shall think fit.

Common council under the common seal to appoint surveyors, measurers, guager, garblers, beadles, &c.

And to displace them at will.

And further, we do for us, our heirs, and successors, grant unto the said Mayor, Aldermen, and Commonalty, and their successors forever, full power and authority to erect and build, or appropriate any other buildings already built, for one or more bridewell or bridewells, house or houses of correction, and work-house or work-houses, together with full power and authority to the said Mayor, Recorder, and Aldermen, or any one of them, to take up and arrest, or order to be taken up and arrested, all and any rogues, vagabonds, stragglers, and idle and suspicious persons; and as they the said Mayor, Recorder, or Aldermen, or any one of them, shall see cause, to order all or any

Power to the corporation to erect any bridewell or work-houses.

And to the Mayor, Recorder and Aldermen, or any

of them, to commit any vagabonds there.

such rogues, vagabonds, stragglers, and idle and suspicious persons, either to the said work-house, there to remain, and work such work, and so long, not exceeding forty days, or else to bridewell or the house of correction, there to receive such punishment, not extending to the loss of life or limb, as the said Mayor, Recorder, and Aldermen, or any one of them, shall think fit. *And also*, that they the said Mayor, Aldermen, and Commonalty, and their successors forever, may, and shall have power to build, erect, or appropriate, any of their buildings already built for an alms-house, for relief of the poor; together also with as full and ample power to them, and their successors, to order, direct, and act in and about the said houses of correction, work-houses, and alms houses, and the persons to be put in and ordered there, as to any city or corporation, in any place of that part of our realm of Great Britain, called England, and the officers or ministers thereof, doth or may belong. *And also*, that they the said Mayor, Aldermen, and Commonalty, and their successors forever hereafter, may have one or more gaol or gaols, in such fit place or places, within the said city and limits and jurisdiction thereof, as by the Common Council of the said city, for the time being, or the major part of them, shall be appointed, to imprison, and safe keep, all and every person and persons for any treasons, murders, felonies, trespasses, evil doings, and all other matters and causes whatsoever to be arrested or attached, or to be committed to the gaol or gaols aforesaid, in safe custody, there to remain, until

Power to the corporation to erect or appropriate any of their buildings for an alms-house.

And to have one or more gaols as they shall think fit.

they be delivered by due course of law. And that the Common Council of the city aforesaid, for the time being, or the major part of them, shall, and may have power, from time to time, to choose, constitute, and place, one or more fit person, or persons, in the office or offices of keeper or keepers of the goal or gaols aforesaid, to hold the same during the good pleasure of the Common Council of the said city, for the time being, or the major part of them, as aforesaid requiring, and, hereby, for us, our heirs, and successors, impowering and commanding the keeper and keepers of the gaol or gaols aforesaid, for the time being, that all and singular, traitors, murderers, felons, malefactors, disturbers of the peace, and other delinquents, and all others, for any crime or offence, or other reasonable cause or matters, to the gaol or gaols aforesaid, ordered or committed, or to be committed or ordered, from time to time, shall receive, take, keep, and cause to be kept in the same gaol or gaols, until they shall be thence delivered by due course of law,

Common council to appoint one or more gaol-keepers with power to remove them at pleasure.

Who shall receive all malefactors into his custody.

And we do further, for us, our heirs, and successors, will, ordain, and grant, that the Mayor of the said city, for the time being, shall forever hereafter, be clerk of the market, of us, our heirs, and successors, within the city aforesaid, and the limits, liberties, and precincts, thereof; and that the Mayor of the said city, for the time being, by himself or his deputy, may and shall have full power and authority to do and execute, and shall and may do

Mayor appointed clerk of the market.

and execute forever, within the limits, liberties, and precincts, of the said city, all and whatsoever to the office of clerk of the market there doth, shall, or may belong, without any hindrance or impediment of us, our heirs, or successors, or any the officers of us, our heirs, or successors; and that no other clerk of the market shall intermeddle there. *And also*, that the Mayor of the said city, for the time being, and his successors, during the time of his and their mayoralties, and no other, be and shall be, the bailiff and conservator of the water of the north and east rivers, and shall and may do, exercise, and execute, the said office of bailiff and conservator of the water of the north and east rivers, or water-bailiff, by him or themselves, or by his or their sufficient deputy or deputies, in, upon, or about, the same water of the north and east rivers *(that is to say)* in and through all the limits, bounds, and jurisdiction of the said city of New-York, upon all and every the banks, shores, and wharfs, of the same water of the north and east rivers, within the limits and bounds aforesaid: and to have, receive, collect, and enjoy, all and singular, wages, rewards, fees, and profits, to the same offices of clerk of the market, and water-bailiff, or any of them, due or to be due, or belonging to his or their own use, without any account thereof, to us, our heirs, or successors, to be made, *And also*, that the Mayor of the said city, for the time being, shall have full power and authority to license or appoint, by warrant, under his hand and seal, or otherwise, one or more marshal or marshals of the said city, porters, car-

And water bailiff.

And to receive the fees of clerk of the market and water-bailiff to his own use.

Mayor to licence one or more marshals, porters, carriers, cartmen, carmen, packers, cullers, cryers, scaven-

riers, cartmen, carmen, packers, cullers, common cryers, scavengers, and to to displace all or any of them, and to put others in their rooms; and to add to, or diminish the number of them, or any of them, when, and as often as the Mayor of the said city, for the time being, shall think fit.

gers, and to displace them at pleasure.

And we do further, for us our heirs and successors, grant, ratify, and confirm, unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors forever, that the Mayor of the said city for the time being, and no other whatsoever, shall have power to give and grant licenses annually, under the public seal of the said city, to all such persons as he shall think fit to license them, and every of them, to keep a tavern, inn, ordinary, or victualling-house, and to sell wine, brandy, rum, strong waters, cider, beer, ale, or any other sort of exciseable or strong liquors, within the city of New-York, or the liberties and precincts thereof, by retail or the small measure; and that it shall be lawful to and for the said Mayor of the said city, for the time being, to ask, demand, and receive for every such licence by him to be given and granted as aforesaid, such sum or sums of money, as he and the person to whom such licence shall be given and granted, shall agree for, not exceeding the sum of thirty shillings for each licence; all which monies, as by the said Mayor, shall be so received, shall be used and applied to the public use of the said Mayor, Aldermen, and Commonalty, of the said city of New-York, and their successors forever, without any account thereof to be rendered,

And grant licences to keep tavern.

Fees for licences to keep tavern, to the use of the corporation.

made, or done, to us, our heirs, or successors, or any other person whatsoever; Every and each of which licences shall continue and be in force for any time, not exceeding one year from the granting thereof, but no longer. *And we do hereby*, for us, our heirs, and successors, constitute, direct, order, and appoint, that no person or persons whatsoever, without such licence being in force, shall at any time hereafter keep any tavern, inn, public ordinaries, or victualling houses, or sell wine, brandy, rum, strong waters, cider, beer, ale, or any other sorts of exciseable or strong liquors, within the city of New-York, or the liberties or precincts thereof, by retail or small measure, under the penalty of five pounds, current money of New-York, for every time that any person shall act contrary hereto in any respect, to be forfeited and paid by every person, for every time he or she shall offend or act contrary hereto in any respect, to and for the use of the said Mayor, Aldermen, and Commonalty, of the city of New-York, for the time being; all and every of which penalties shall and may be levied, by distress and sale of the goods and chattels of such delinquent and delinquents, by warrant under the seal of the said city, signed by the Mayor thereof for the time being, or his deputy, rendering the surplusage to the owner or owners thereof, if any be, (the necessary charges of making and selling, such distress being first deducted,) or by any other lawful method to be obtained; and shall be recovered and received by and to the only use of the Mayor, Aldermen, and Commonalty, of the

Licence to continue in force one year and no longer.

No person without licence to keep a tavern, or retail.

On penalty of five pounds.

To be levied.

To the use of the corporation.

city of New-York, and their successors forever, without any account thereof to be given to us, our heirs, or successors, or to any of the ministers or officers of us, our heirs or successors.

Mayor, deputy Mayor, Recorder, and Aldermen, assigned justices of the peace.

And further we, of our especial grace, certain knowledge, and meer motion, have given, granted, ratified, and confirmed, and by these presents do, for us, our heirs, and sucessors, give, grant, ratify, and confirm unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and to their successor forever, that the Mayor, deputy Mayor, Recorder, and Aldermen, of the said city, for the time being, be, and shall be at all times forever hereafter, and hereby are assigned to be justices, and each of them a justice of us, our heirs, and successors, the peace of us, our heirs, and successors, within the city aforeseid and the limits, jurisdiction, and extent thereof, and within the county of New-York, to keep: and that they the said Mayor, deputy Mayor, Recorder, and Aldermen, of the said city, for the time being, or any four or more of them (whereof we will the Mayor, or deputy Mayor, or Recorder, of the said city, for the time being, to be one) shall and may forever hereafter hold and keep four courts of general sessions of the peace, in and for the said city and county of New-York, to begin at certain times in the year; *to wit*: one of them to begin on the first Tuesday in November; another on the first Tuesday in February; another on the first Tuesday in May; and the other on the first Tuesday in

And that they or any four or more (whereof the mayor, deputy mayor, or recorder to be one) may hold courts of sessions on the first Tuesday in November, February, May, and August yearly.

To last any time not exceeding four days.

August, in every year; each of which sessions of the peace, shall and may last, continue, and be held any time, not exceeding four days. *And also*, that they the said Mayor, Deputy Mayor, Recorder, and Aldermen of the said city, for the time being, or any four or more of them (whereof we will the Mayor, or deputy Mayor, or Recorder, of the said city, for the time being, to be one) shall

And to inquire, hear and determine all felonies and offences whatsoever belonging to the office of justices of the peace.

and may forever hereafter, have full power and authority to enquire of and hear and determine, within the city and county aforesaid, all and all manner of felonies, imprisonments, riots, routs, oppressions, extortions, forestallings, regratings, trespasses, offences, and all and singular other evil deeds and offences whatsoever, within the city and county aforesaid, from time to time perpetrated, done arising, or happening, which to the office of justices of the peace, are incumbent, or do in any manner belong, or which thereafter shall happen to belong, or be incumbent on them, or which in any manner before justices of the peace ought or may be inquired into, heard and determined, together with the correction and punishment thereof, and to do and execute all other things, within the city and county aforesaid, and the liberties and precincts thereof, as fully, freely, and entirely, and in as ample manner and form as justices of the peace of us, our heirs, and successors, any where within that part of our kingdom of Great Britain, called England, by the laws, statutes, or customs, of England, or by any other legal method whatsoever, heretofore had or exercised, or hereafter to

he had or exercised, could, might, or can do, and in as ample manner and form, as if the same had been in these our letters particularly, and by special words expressed, contained, and mentioned. And that the said justices of the peace, of us, our heirs, and successors, in the city and county aforesaid, may have and exercise jurisdiction in all causes, matters, and things, whatsoever, which to justices of the peace of our said city and county, in any manner do, or ought to belong. *And further*, that the Mayor, Recorder, and Aldermen, of the said city, for the time being, and every of them from time to time, and at all times forever hereafter, shall be justices assigned of *Oyer and Terminer*, and of the gaol delivery of all and every the gaols now being, and hereafter to be in the said city and county, and either of them, and shall be named in every commission, thereof to be made. *And we do hereby*, for us, our heirs, and successors, grant, order, and appoint, that the sheriff and other ministers and officers of the said city, for the time being, shall and may, and they are, and each of them is hereby commanded, authorised, and fully empowered to execute and return all and every the precepts and commands of the Mayor, Recorder, and Aldermen, of the said city, for the time being, and either, or any of them, from time to time, at all times, as fully and effectually as any sheriff, minister, or officer, of any county or city, any where in that part of our kingdom of Great-Britain, called England, the mandates or commands of any justice of the peace, justice of *Oyer and*

And as Justices to have jurisdiction in all causes, which to the office of Justices doth or may belong.

Mayor, recorder and Aldermen, made Justices of *Oyer and Terminer*, and of the gaol delivery, and be so named in every commission.

Sheriff and other officers to execute the warrants and commands of the Mayor, Recorder, and Aldermen.

Terminer, of gaol delivery of, or in any county there, hath used to make return or execute, in any manner whatsoever.

Power to the corporation to hold one court of record on every Tuesday in the week yearly, before the Mayor or his deputy, or the recorder, & any three or more Aldermen, or any four or more of them, whereof the Mayor or his deputy, or the recorder, to be one.

And we do further, of our special grace, certain knowledge, and meer motion, will and by these presents, for us our heirs, and successors, give, grant, ratify, and confirm, unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successorr forever, that they, and their successors forever hereafter, shall, can, and may have and hold, in the name of us, our heirs, and successors, one court of record, within the city of New-York, and the liberties and precincts thereof, upon every Tuesday in every year, before the Mayor of the said city, for the time being or his deputy, or the Recorder of the said city, for the time being, and any three or more of the Aldermen, for the time being, or any four or more of them (whereof we will the Mayor of the said city, fre the time being, or his deputy, or he Recorder, of the said city, for the time being, to be one.) And, that the Mayor of the said city, for the time being, or his deputy, or the Recorder of the said city, for the time being, and three or more of the Aldermen, and any four or more of them, (whereof we will the said Mayor, or his deputy, or the Recorder, to be one,) shall and may hold, plea, and have cognizance of all and all manner of plaints, actions, and pleas, of any lands and tenements, within the said city of New-York and the limits and precincts thereof; and also of all actions of trespass with force and arms, and without replevin,

And to hold, plea, take cognizance of and determine all civil causes as well real as personal, or mixt, arising within the city and county.

ejectment, trover, and conversion, trespass upon the case, debt, detinue, covenant, deceits, contracts, contempts, penalties, forfeitures, and all other actions, and pleas, as well real as personal, and mixt, arising and accruing within the said city and limits thereof; together with full power and authority to hear and determine all and every the same, and such actions and pleas aforesaid, and judgments thereon, to render, and executions thereof to award and make, and to act and do every thing therein in such manner and form, and by such, and the like methods, process, and proceedings, as fully and amply as in our other courts of record, in such, or the like cases is used, or can or may be acted and done, according to the laws of that part of our kingdom of Great-Britain, called England, and of our said province of New-York.

According to the laws of England or this colony.

And we do hereby, for us, our heirs, and successors, grant, order, and appoint, that the sheriff, and the coroner, and other ministers, and officers, of the said city, for the time being, shall and may, and they are, and each of them is hereby commanded, authorised, and fully empowered, to execute and return all and every the precepts and process of the said court, to them respectively directed, or to be directed, from time to time, and at all times, as fully and effectually as any sheriff, coroner, minister, or officer, of or in any city or place within that part of our kingdom of Great- Britain, called England, the precepts and processes of any court of record there, hath used, or can or may execute

Sheriffs, Coroners and officers to execute and return their precepts.

and return, in any manner howsoever; *Provided always*, That the Mayor of the said city for the time being, or his deputy, or the recorder of the said city for the time being, and any three or more of the Aldermen of the said city, or any four or more of them (whereof the Mayor or his deputy, or the Recorder, we will to be one) may and by there presents have and shall have full power to adjourn the said court for any time not exceeding twenty-eight days.

Power to adjourn the Mayor's court for any time, not exceeding 28 days.

And we do further will, and by these presents, for us, our heirs, and successors, give, grant, ratify, and confirm, unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors, that they and their successors, from henceforth forever hereafter, shall and may have within the city aforesaid, a fit and discreet man to be, and who shall be, and be called, the Common clerk of the city aforesaid, to act and do all those things within the city aforesaid, and the limits and jurisdiction thereof, which to any Common clerk of or in any city, borough, or town incorporated, any where in that part of our kingdom of Great-Britain called England, by virtue of his office, can or ought to do. And also, that forever hereafter, the common clerk of the city aforesaid, for the time being, shall also be clerk of the court of record, to be held before the Mayor, or his deputy, or the recorder, or any three or more of the Aldermen of the said city, as aforesaid; and also clerk of our peace, and of the peace of our heirs and successors, and of the sessions of the peace, for and in the city and county of

Corporation to have a common clerk.

Who shall be clerk of the court of record, clerk of the peace, & of sessions of the peace.

New-York, from time to time to be held, and all and singular those things which to the office and offices of such clerk of the peace, and of the sessions of the peace, do and shall appertain, to do, act and execute; and also, shall and may require, demand, take, accept, hold, keep, and enjoy, all fees, perquisites, and profits, which may to any such common clerk, clerk of the peace, and of the sessions of the peace, do or ought to belong. *And we do hereby*, give, grant, ratify, and confirm, for us, our heirs, and successors, unto our beloved William Sharpas, Gen. (one of the inhabitants of the city aforesaid) to be the present common clerk of the city of New-York aforesaid; and also clerk of the peace, and of the sessions of the peace, for, and in the city and county of New-York, to continue in the offices aforesaid, during his life, and to act and execute the same offices and places by himself or his deputy. *And we do further*, for us, our heirs and successors, appoint, will, and direct, that the Governor or Commander in chief of the said province of New-York, for the time being, from time to time, and at all times, after the death of the said William Sharpas, when and so often as the office and place of Common Clerk of the said city shall happen to be vacant, shall and may appoint an honest and discreet man, being one of the inhabitants, and a freeman or freeholder of the said city, to be Common Clerk of the said city, during his good behaviour; and so as often as such case shall happen. *And we do further*, for us, our heirs, and successors, will and grant, that so often as the said office shall be vacant, the

And take all fees belonging to those offices.

Mr. William Sharpas appointed common clerk, and clerk of the peace and sessions of the peace.

Upon his death, the Governor to appoint another, who shall execute those offices, during his good behaviour.

As often as the office of clerk be vacant the common council to appoint one, who shall continue therein till another be appointed by the Governor, and sworn.

Common Council of the said city, for the time being, shall and may appoint one other honest and discreet citizen, being an inhabitant and freeman, or freeholder of the said city, to be Common Clerk of the said city, and Clerk of the said Court of Record, in and for the said city; and Clerk of the Peace, and of the Sessions of the Peace, in and for the said city and county of New-York, to act and execute the said offices, and who shall and may execute, do, and receive, all and whatsoever to the said offices, and every of them, belongs, or shall belong or appertain, till in his room, another honest and discreet person, being an inhabitant and freeman, or freeholder of the said city, shall be appointed into and for the said offices, by the Governor or Commander in Chief of the said province for the time being; and shall have taken such an oath as is hereby directed for every such person so to be appointed, to give and take; and so from time to time, and so often as the case may or shall so happen.

Eight attornies appointed for the Mayor's court, during their good behaviour.

And further, we do hereby constitute, name, and appoint, James Alexander, Joseph Murray, John Chambers, William Smith, George Lurting, William Jamison, Richard Nicolls, and Abraham Lodge, gentlemen, to be the present attornies, and each of them to be an attorney of and in the said court of record, for and during the good behaviour of each of them respectively: And we do hereby, for us, our heirs, and successors, grant and ordain, that no other attorney or attornies, per-

son or persons whomsoever, (besides the aforenamed attornies, during the time that they shall all remain attornies of the said court) shall be permitted or suffered to practice as an attorney of or in the said court; but all and every other attorney and attornies, person and persons (besides the before named attornies, during the time aforesaid) from being an attorney or attornies of or in the said court, and from all practice as such, shall be, and are and each of them is excluded and debarred. *And we do hereby*, for us our heirs, and successors, give and grant unto the said Mayor, Aldermen, and Commonalty of the city of New-York, and their successors for ever, that the Mayor of the said city, for the time being, or his deputy, or the Recorder, and any three or more of the Aldermen of the said city for the time being, or any four or more of them, (whereof we will the Mayor, or his deputy, or the Recorder of the said city, for the time being, to be one) shall and may (by and with the consent and approbation of our Governor and Commander in Chief for the time being) have full power and authority, all or any of the before named attornies of the said court, and all or any other of the persons, hereafter to be appointed or admitted attornies of or in the said court, for their or his evil behaviour, in their or his said duty or office of attornies, or an attorney of or in the same, or his or their being thereof legally convicted from being attornies, or an attorney of or in the said court to amove, displace, and forever exclude; and after the amoval or death of any two

And no other attornies to practice there

The Mayor, deputy Mayor, recorder, and any three or more Aldermen, or any four or more of them (the Mayor or his deputy, or recorder to be one) may with consent of the Governor or commander in chief, for the ill behaviour of the attornies, and on lawful conviction, remove them. And after the amoval or death of two, upon the amoval or death of any other of them to recommend others to the Governor or commander in chief in their room; who when approved of shall be admitted in the Mayor's court.

or more of the before named attornies, upon the amoval or death of any other of the attornies before named, or hereafter to be admitted, to recommend one other person to the Governor or Commander in Chief of the said province of New-York for the time being, for his approbation, in the room of such attorney so dying, or being removed; each of which persons, so to be recommended, and approved of, as aforesaid, shall and may be admitted and sworn an attorney of, and in the said court; and so often as the case shall happen. *And we do further*, for us, our heirs, and successors, grant and appoint, that no other attorney or person whatsoever, shall, after the death or amoval of any of the before named attornies, be admitted or suffered to practise as an attorney of or in the said court, but what shall be recommended and approved of as aforesaid. *And further*, we do, for us, our heirs, and successors, grant, will, and ordain, that the number of attornies of the said court, shall not at any one time after the death or removal of any two or more of the before named attornies, forever hereafter exceed the number of six: *Provided*, that nothing herein shall be construed to extend to hinder us, our heirs, or successors, from prosecuting or defending, all or any suits, causes, actions, or prosecutions, in the said Mayor's court, by our attorney or solicitor general for our said province, or the attorney or solicitor general of us, our heirs, or successors, for the said province, for the time being; nor to hinder the attorney or solicitor general of us, our heirs,

And no person not recommended & approved shall be permitted to practise after the death or amoval of any of the before named attornies.

Number of attornies forever to remain six.

Provided nothing be construed to hinder his majesty from proseuting, or defending, by his attorney general, nor to hinder the attorney from practising as council in any civil cause.

or successors, for the said province, for the time being, to practice in the said court as council in any civil cause.

Power to the Mayor, recorder and Aldermen, and each of them, to determine all causes with or without a jury, where the thing in demand shall not exceed 40s.

And we do further of our especial grace, certain knowledge, and meer motion, for us, our heirs, and successors, grant, appoint, and direct, that the Mayor, Recorder, and Aldermen, of the said city, for the time being, and each of them, from time to time, and at all times, forever hereafter, shall have, by these presents, full power and authority to have and take cognizance of, and to hear, try, and finally determine, with or without a jury, all pleas, suits, controversies, and trespasses, wherein the value does not exceed the sum of forty shillings, in such manner as they or either of them shall think or judge to be agreeable and according to equity and good conscience; and for the more due proceeding herein, it shall and may be lawful for them or either of them, to administer an oath to the plaintiff or defendant, and also to such witnesses, as shall be produced by each party, if they the said Mayor, Recorder, and Aldermen, or either of them think fit; and in case either of the parties, plaintiff or defendant, shall not perform such order, judgment, or decree, as the said Mayor, Recorder, or Aldermen, for the time being, or any one of them, shall make or set down, then it shall and may be lawful for them, or any one of them, to commit such party or parties to any prison of or in the said city, there to remain until he, she, or they, perform such order and every marshal of the said city for the time being, is hereby commanded and authorised to ex-

And to administer an oath to plaintiff and defendant and their witnesses.

And if either party refuse to comply with the decree of them, or any of them, that they or any one of them may commit such party to prison till performance.

Every marshal to execute their or either of their precepts.

ecute all and any the summonses, precepts, and commands, of them the said Mayor, Recorder, and Aldermen, or any one of them, made, issued, or given in about, or concerning, such suits, pleas, controversies, and trespasses, or any of them, as shall be to him directed; and every keeper of the

And every gaol keeper to receive and in custody, &c. such party or parties who shall not comply with such decree and be committed.

gaol for the city of New-York, for the time being, is hereby commanded and authorised to receive, and safe keep, in his gaol or custody, all such parties so committed or to be committed to the prison he shall be then keeper of, until he, she, or they, shall perform such order accordingly.

Sheriff, clerk and all subordinate officers to be obedient to and to attend upon the Mayor or recorder & Aldermen, and to execute their command.

And we do, for ourselves, our heirs, and successors, by these our present letters, require, and strictly charge and command, and fully empower, the sheriff, common clerk, chamberlain, marshal, gaol keepers, high constable, petty constables, and all other subordinate officers, of and in the said city, now chosen, elected, constituted, or appointed, or that hereafter may be chosen, elected, constituted, or appointed, and every of them respectively, jointly, and severally, as cause shall require, to be obeisant and obedient to, and attend upon the said Mayor, Recorder, and Aldermen, of the said city, and every or any of them, at all times hereafter, according to the duty or obligation of their respective offices and places; and to execute all and every the commands, precepts, warrants, and processes, to them respectively directed and issued, and given out, and to be issued and given out, by them the said Mayor, Recorder, and Aldermen, or any one of them.

Mayor, his deputy, and other officers to be sworn.

And we do further, hereby will, declare, and ordain, that before the Mayor, deputy Mayor, Recorder, Aldermen, Assistants, Assessors, Sheriff, Coroner, Common Clerk, Chamberlain, High Constable, and Petty Constables, of the said city, such of them as are hereby appointed and named, and all and every such as hereafter are to be appointed, elected, or chosen, shall, before they be respectively permitted to execute their respective offices or places aforesaid, respectively be sworn as follow, *to wit:* The hereby named Mayor of the said city, and every other person, hereafter to be appointed to or for that office, to take the proper oath as such, and well and truly to execute the office of Mayor, and all other offices and places, hereby appointed for each Mayor to execute and act in, and the usual oath of a justice of peace, before the Governor or Commander in Chief of the said province of New-York, for the time being, in presence of three or more of the Aldermen of the said city of New-York, for the time being; or, in case of the absence of the Governor or Commander in Chief, for the time being, then before the oldest counsellor of the said province, for the time being, in the presence of three or more of the Aldermen of the said city for the time being. *And we do hereby*, for us, our heirs and successors, give and grant full power and authority to the Governor or Commander in Chief of the said province, for the time being, in the presence of three or more of the Aldermen of the city aforesaid, for the time being, or in case of the absence

before they execute their offices.

Mayor to be sworn,

before the Governor, or in his absence, before the oldest counsellor, in the presence of three or more Aldermen.

Power to administer such oath, granted to the Governor, & in his absence to the oldest counsellor.

of the said Governor or Commander in Chief, then to the oldest counsellor of the said province for the time being, in the presence of any three or more of the Aldermen of the said city, for the time being, to administer such oaths accordingly, without any other warrant, commission, or power from us, our heirs, or successors; and so from time to time, as often as the case shall or may require or happen. *And* the above named Recorder of the said city of New-York, and every other person hereafter to be appointed to or for that office, to take the proper oath, as such officer ought to take, and an oath, well and truly to execute the office of Recorder, and the proper oath of a justice of peace, before the Mayor of the said city, for the time being, or his deputy; to which same Mayor, for the time being, or his deputy, we do, for us, our heirs, and successors, give full power and authority by these presents, to administer such oaths accordingly, in manner aforesaid, without any other warrant, commission, or power from us, our heirs, and successors; and every deputy Mayor or every Alderman hereafter to be appointed to act as deputy Mayor, for the time being, to take the proper oath as such, and an oath, well and truly to execute the office of a deputy Mayor, during the time for which he shall be appointed deputy, if the same Mayor, his constituent, shall so long live: And if the said Mayor shall happen to die within such time, that thereupon, and from thenceforth, such deputy Mayor shall well and truly execute the office of Mayor of the said city,

Recorder to be sworn,

before the Mayor or his deputy.

Deputy Mayor to be sworn.

His oath.

until another fit person be appointed and sworn Mayor of the said city, in the manner in these present letters mentioned; and shall also take the proper oath of a justice of peace, before the Mayor or Recorder, and any three or more of the Aldermen of the said city for the time being. *And we do hereby*, for us, our heirs, and successors, give full power and authority to the Mayor, or Recorder of the said city and to any three or more of the Aldermen of the said city, for the time being, to administer such oaths, as aforesaid, without any other warrant, commission, or power from us, our heirs, or successors. *And also*, every Alderman hereby appointed, and every person hereafter to be elected to or for the office or place of Alderman of or in the said city, to take an oath, well and truly to execute the office or place of Alderman, and the proper oath of a justice of peace, before the Mayor of the said city, for the time being, or his deputy, or the Recorder of the said city, for the time being: And also every Assistant, Assessor, Sheriff, Coroner, Common Clerk, Chamberlain, High Constable, and Petty Constable, hereby named, and every person hereafter to be elected or appointed to or for the office or place of an Assistant, Assessor, Coroner, Common Clerk, or Chamberlain, or shall be appointed or elected to or for the office or place of High Constable or Petty Constable of or in the said city, each of them respectively to take the proper oath for his respective office or place, and well and truly to execute the respective offices or places he is or shall have been

Mayor or recorder and any three or more Aldermen to administer such oath

Aldermen assistants, assessors, sheriff, coroner, clerk, chamberlain, high constable

and petty constables,

to be sworn before the Mayor, or his deputy or recorder;

respectively elected or named for, before the said Mayor of the said city for the time being, or his deputy, or the Recorder of the said city for the time being. *And we do hereby* give full power and authority to the Mayor of the said city, for the time being, or his deputy, or the Recorder of the said city for the time being, to administer such respective oaths to each of the respective persons aforesaid, accordingly, without any other warrant, power, or authority, from us, our heirs, or successors.

who are impowered to administer the same.

And further, of our especial grace, certain knowledge, and meer motion, we have granted and by these presents do, for ourselves, our heirs, and successors, grant and confirm unto the aforesaid Mayor, Aldermen, and Commonalty of the city of New-York aforesaid, and to their successors, that neither they, nor any one of them, nor any free citizen of the said city, during the time of their being inhabitants there, shall against their or any of their wills, out of the city aforesaid, be put or impanelled upon or in any assizes, juries, or inquisitions whatsoever (although it toucheth or doth or shall touch us, our heirs or successors, and although we, or our successors, be, or, should, or shall be parties) out of the said city, neither shall they or any ano of them be made, elected, or chosen Assessor, Taxer, or Collector of any taxes, duties, imposts, or subsides, whatsoever, or of any part or parcel of them, or of any of them, out of the said city; nor shall be ordained, elected, assigned or appointed constable, bailiff, or any

None of the corporation nor any free citizen of the city to be compelled against their wills to serve on any inquest or juries or to execute any office out of the jurisdiction of the city, while they remain inhabitants.

other officer or minister, without or beyond the city aforesaid, and the liberties and precincts thereof; nor shall be called upon, compelled, or forced, against their or any of their wills, to do, receive, occupy, or discharge, any of the duties or functions above mentioned, or any other office, duty, or function, whatsoever, without the city, liberties, and precincts aforesaid. And although the aforesaid Mayor, Recorder, and Aldermen, Freemen, or free citizens, of the city aforesaid, or any of them, shall, while they are or remain inhabitants of the said city against their, or any of their wills, be put impanelled, or returned upon any assizes, juries, or inquisitions whatsoever, out of the said city and limits thereof; or shall to any of the offices above-mentioned, or any other office or function whatsoever, out of the said city, be elected or chosen; and though they, or any of them, being summoned, impanelled, or returned, elected, or chosen, as aforesaid, shall refuse or neglect to come and appear before our justices, or other justices, commissioners, or officers, of us, our heirs, or succesors, (before whom such assizes, juries or inquests shall happen to be summoned or returned) or in or upon the same assizes, juries, or inquests, shall refuse or neglect to be sworn or tried, or any of the offices, duties, or functions, aforesaid, shall refuse to do, receive, occupy, or discharge, yet the person or persons so refusing any contempts, fines, amerciaments, penalties, forfeitures or loss whatsoever, by reason of such refusal or neglect, to or towards us, our heirs, or successors, shall

Nor shall incur any fines

for refusing to serve on any inquests, juries, or to execute any office out of the jurisdiction of the city.

not, nor either of them, shall in any wise incur, but therefrom and thereof, as well as before us, our heirs, and successors, as all other the justices, commissioners, and other officers whatsoever of us, our heirs, or successors, shall remain quiet, and forever discharged.

Grant & confirmation to all the inhabitants, of their houses, lands, tenements and hereditaments,

And further, we do for us, our heirs, and successors, by these present letters give, grant, ratify, and confirm, unto all and every the respective inhabitants and freeholders of the said city of New-York, and their several and respective heirs and assigns forever, all and every the several and respective messuages, tenements, lands, and hereditaments, situate, lying and being in the said city, and Manhattan's-Island aforesaid, to them severally and respectively granted, conveyed or confirmed, or mentioned or intended to be granted, conveyed, or confirmed, by any of the late Governors, Lieutenant-Governors, or Commanders in Chief, of the said province, or by any of the former Mayors, or deputy Mayors, and Aldermen and Commonalty of the said city of New-York, by that or any other name, stile, or title, or by others claiming under any such grant or conveyance, to have and to hold to them respectively, and to their respective heirs and assigns forever; saving and reserving the several rents and quit-rents, reserved and due, and to be due and payable from each of the several persons, to whom by virtue of any former grants to them (or those from or under whom they respectively hold) the same messuages, tenements, lands, or hereditaments were made or given.

saving the quit-rents reserved by their grants.

And further, of our especial grace, certain, knowledge, and meer motion, we do, for us, our heirs, and successors, give, grant, ratify, and confirm to the said Mayor, Aldermen, and Commonalty, of our said city of New-York, and to their successors forever, full, special and free liberty, license, power, and authority, to take, receive, have, hold, and enjoy, to them and their successors forever, in fee simple, any manors, messuages, lands tenements, hereditaments, rents, and other possessions and real estate, within or without the same city, as well of and from us, our heirs, and successors, as of and from all and every other person and persons whomsoever; so as the manors, messuages, lands, tenements, hereditaments, rents and other possessions and real estate, which the Mayor, Aldermen, and Commonalty of the city of New-York, shall and may have in their possession and seizen, at any one time, exceed not in the whole, the clear yearly rent or value of three thousand pounds per annum, money of our realm of Great Britain, beyond and above all charges and reprises, without any hindrance of us, our heirs, or successors, or the justices, escheators, sheriffs, coroners, bailiffs, or other the ministers of us, our heirs, or successors; and this without any other letters patent, liberty, license, or power, from us, our heirs, or successors, the statute of *Mortmain*, or any other act, law or statute, or any other cause, thing, or matter, whatsoever, to the contrary thereof in any wise notwithstanding; and the same manors, messuages, lands, tenements,

Power to the corporation to purchase and hold in fee any manors, lands, tenements, or hereditiments, so as the clear yearly value exceed not 3000l sterl. per Annum.

And the same to dispose of at their pleasure.

hereditaments, rents, and other possessions, or any part thereof, to demise grant, lease, and set over, assign and dispose, at their own will and pleasure, and to make, seal, and accomplish, any deed, or deeds, lease, or leases, evidences, or writings, for, or concerning the same or any part thereof.

Grant and confirmation to the Mayor, Aldermen, and commonalty of the City-hall and gaols, the five market houses, the great dock, crane wharf, and common sewer the powder house, and the ferry and all other ferries hereafter to be settled, together with the ferry houses, barns, stables, pens, pounds, and ground, thereto belonging, and the ground between high and low water-mark, from the east side of Wall About to the west side of the red hook and all waste, vacant and unpatented land on Manhattan's Island, extending to low water-mark, with the benefit of all docks, and wharfs, &c

And we do, by these presents, of our especial grace, certain knowledge, and meer motion, give, grant, ratify, and confirm, unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors forever, all those the now City-Hall and gaols, rooms or places, for the courts of justice and chambers adjoining, with the ground and appurtenances thereto belonging, the five market houses, the great dock, the now crane and wharf, with the common sewer leading through the great dock and bridge, and also the Magazine, or Powder-house, near the fresh water, all in the city of New-York, and the ferry and ferries on both sides of the East River, and all other ferries now and hereafter to be erected and established all round the Island Manhattan's; and the management and rule of, and all fees, ferriages, and perquisites to the same, or any part thereof belonging, or to belong; and also the ferry houses on Nassau-Island, with the barns, stables, penn, or pounds, and lot of ground thereto belonging; and also all the ground, soil or land, between high-water and low-water mark, on the said Island of Nassau, from the east side of the place called Wallabout to the west side of Red-Hook; and also to make laws and rules, for the governing and well ordering of all the ferries

now erected or established, or hereafter to be erected or established round the said Island Manhattan's; and all the waste, vacant, unpatented, and unappropriated land, lying and being within the said city of New-York, and on Manhattan's-Island aforesaid, extending to low-water mark; together with the right, benefit, and advantage, of all docks, wharfs, cranes, and slips, or small docks within this city, with the wharfage, crange, and dockage, and all issues, rents, profits, and advantages arising, or to arise or accrue by or from all or any of them; and all rivers, rivulets, creeks, coves, ponds, waters, water-courses, fishing, fowling, hunting, and hawking, mines, and minerals, and other royalties and privileges within the city of New-York, and Manhattan's-Island; and also all and singular other the rights, privileges, liberties, franchises, pre-eminences, advantages, jurisdictions, courts, powers, offices, authorities, markets, ferries, ferriages, fees, fines, amerciaments, perquisites, profits, immunities, lands, tenements, rents, possessions, and hereditaments, and other real estate, not only which in the before recited grant or writing made or mentioned to be made, in the year of our lord one thousand six hundred and eighty-six, and in the before recited letters patent of Queen Anne, mentioned or intended to be thereby, or by either of them granted or conveyed, but also, which the Mayor, Aldermen, and Commonalty, of the city of New-York, or their predecessors, inhabitants, or citizens of the said city of New-York, or any part

And all profits arising therefrom, and all rivers, creeks, coves, and other privileges, advantage & hereditaments, and all other their rights and privileges.

Grant by former charters,

thereof, by whatsoever other name, stile, or title, they or any of them, have been known or called, have, held, or claimed to hold by perscription or otherwise, (silver and gold mines excepted) and also, except our Fort George, in our city of New-York, and the ground, full boundaries, and extent thereof, or thereto belonging, and also that piece of ground near the English Church, called the Governor's garden, and the land called the King's Farm, with the swamp next to the same: and saving the several rents, reserved by virtue of former grants, and saving to all other persons, bodies politic and corporate, their respective titles, to any of the said lands or tenements; and saving to the inhabitants, or those that have plantations by the water-side, between Wallabout and Red-Hook, the right of transporting themselves, and their own goods only, in their own boats, from and to their respective dwellings or plantations, without paying ferriage, *to have and to hold* all and singular the premises aforesaid, and every part and parcel thereof (except and saving, as is herein excepted and saved) unto the said Mayor, Aldermen, and Commonalty of the city of New-York, and their successors forever, to their only proper use and behoof forever.

or which they at any time held or claimed, except gold and silver mines, the fort, governor's garden, king's farm, & swamp, and all rents reserved by former grants, & saving other persons' right to the premises; and saving to those having plantations by the water side, between Wallabout, and red-hook, a right of transporting themselves and goods.

And also, we do further, of our especial grace, certain knowledge, and meer motion, give, grant, ratify and confirm unto the said Mayor, Aldermen, and Commonalty, of the city of New-York, and to their successors forever, all that space of ground

and soil of Hudson's River now lying and being under the water of the same river, to begin at a certain place, near high-water mark, at the south end of a piece of upland, which lies between the said river, and a piece of meadow ground or marsh, being the first piece of meadow ground or marsh near Hudson's River, to the southward of Greenwich, and from whence the above named run of water called Bestaver's Killitie, or rivulet, runs into Hudson's River, from which place of beginning to extend and run to the south side of the street which runs from the parade before our fort in New-York to Hudson's River, south, eighteen degrees, thirty minutes west, on a straight line, the distance being one hundred and twenty-five chains, from which line to run a perpendicular breadth of, and to comprehend four hundred feet from low-water mark, into Hudson's River, the same containing eighty-two acres, and one half acre, or thereabout. And also, all that space of ground and soil of the East River, from the north side of Corlaer's-Hook to Whitehall, beginning at two large stones, set on the south side of a small creek in a marsh on the north side of Corlear's-Hook; from whence, to the eastermost point of Corlear's-Hook, the distance on a straight line, running south, fifteen degrees thirty minutes east, is forty chains and two rod; from thence to Whitehall, on a straight line, running south, seventy-eight degrees thirty minutes West, the distance is one hundred and fifty-two chains, from which two lines, to run a perpendicular breadth of, and to comprehend four hundred feet from low-water-

To hold to the corporation in fee, grant of the soil under water from Bestaver's Killitie to the fort on the North-river.

comprehending 400 feet below low-water mark, and containing 82 acres and an half.

And also, of the soil of the East river from Corlear's-Hook

to the Whitehall,

comprehending 400 ft. from low water-mark, & being 127 acres, with all profits arising or to arise therefrom.

mark into the East River, the same containing one hundred and twenty-seven acres, or thereabouts; together with all and singular the benefits, liberties privileges, ways, water-courses, easements, wharfs, keys, profits, hereditaments, and appurtenances to the same, or any part thereof belonging or appertaining, or to belong or to appertain, or that can in any wise be had, made, used, or enjoyed thereon, or therewith used, with full power and authority at any time or times hereafter to fill, make up, wharf, and lay out, all and every part thereof; and the same to build upon and make use of in such manner, as they, the said Mayor, Aldermen, and Commonalty, and their successors, shall think fit; and also all our estate, right, title, interest, benefit, claim and demand whatsoever, of, in, or to the same, and the reversion and reversions, remainder and remainders, and the yearly, and other rents, issues and profits, thereof; *To have and to hold*, all and singular the premises aforesaid, unto them the said Mayor, Aldermen, and Commonalty, and their successors, to their own proper use and behoof for ever, and to no other use, intent, or purpose, whatsoever. *Provided always*, that nothing in these presents, shall be construed to empower or entitle the said Mayor, Aldermen, and Commonalty, of the city of New-York, or their successors, to wharf out before any persons who have prior grants, from us, or some or one of our predecessors, of keys or wharfs beyond low-water-mark, without the actual agreement or consent of such persons, their heirs, or as-

With power to wharf out the same, and use it as they think fit.

To hold to them in fee.

Corporation not to wharf out, before those who have prior grants of keys or wharfs below low water mark, without their consent.

signs, owners of such keys or wharfs. *And also*, that of the wharfs to be built, or run out, there shall be left towards the said East and North Rivers, forty feet broad, as well for the greater conveniency of trade, as at any time or times hereafter, for us, our heirs, and successors, to plant batteries thereon, in case of any necessities; to do which, we do, for us, our heirs, and successors, hereby reserve power; any thing herein contained to the contrary, in anywise notwithstanding; they the said Mayor, Aldermen, and Commonalty, and their successors, rendering, yielding, and paying, for all and every the rights, privileges, franchises, pre-eminences, advantages, jurisdictions, courts, powers, offices, authorities, fines, amerciaments, perquisites, fees, ferriages, profits, immnnities, lands, tenements, rents, possessions, hereditaments, and other real estate, and all other the premises, in and by these letters, before and hereafter granted, or meant, mentioned, or intended to be hereby granted unto us, our heirs, and successors, or, unto our, or their, receiver-general for the said province of New-York, for the time being, at the custom-house, in the said city of New-York, yearly and every year, on the feast day of St. Michael, the Arch-Angel, the annual rent of thirty shillings, proclamation money, besides and over and above the yearly quit-rent of one Beaver-skin, or the value thereof, in current money of our said province, in and by the aforesaid recited grant, made in the year one thousand six hundred and eighty-six, reserved to be paid on the twenty-fifth day of March,

And also, shall have 40 foot broad towards the East and North rivers, for trading and planting Batteries.

To hold to the corporation, under the yearly Quit rent of 30s. Proclamation money, over and above all former Quit-rents.

yearly forever; and also the yearly quit-rent of five shillings, current money of New-York, in and by the before recited letters patent of Queen Anne, reserved to be paid at or upon the feast-day of St. John the Baptist, yearly forever.

Corporation quietly enjoy, all their rights and privileges.

And we do further, of our especial grace, certain knowledge, and meer motion, for us, our heirs, and successors, by these presents, give and grant, unto the aforesaid Mayor, Aldermen, and Commonalty, of the said city of New-York, and their successors for ever, that they and their successors, all and singular the rights, privileges, franchises, pre-eminences, advantages, authorities, jurisdictions, liberties, officers, courts, powers, immunities, ferries, ferriages, profits, and perquisites, hereinbefore mentioned, or intended to be hereby granted or confirmed, shall, and may forever hereafter, have, hold, enjoy, and use, without the hindrance or impediment of us, our heirs, or successors, or of any of the justices, sheriffs escheators, coroners, bailiffs, or other officers, or ministers, whatsoever, of us, our heirs, or successors, albeit the same or some, or any one of them, have not been used, or may have been abused, misused, or discontinued, forfeited, or lost, being unwilling, and hereby forbidding, that the said Mayor, Aldermen, and Commonalty, or their successors, or any of them, by reason of the premises aforsaid, or any part thereof, by us, our heirs, or by the justices, sheriffs, escheators, bailiffs, or other officers or ministers of us, our heirs, or successors, be hindered, molested, vexed, or aggrieved, or in

Without the hindrance of any person whatsoever.

any wise disturbed; being willing, and by these presents, for ourselves, our heirs, and successors, commanding as well all the judges and justices of us, our heirs, and successors, as the attorney and solicitor-general of us, our heirs, and successors, for the said province, for the time being; and also, all other officers and ministers whatsoever of us, our heirs, and successors, for the time being, that neither they, nor any of them, do prosecute or continue, or cause to be prosecuted or continued, any information, or any writ, or summons of *Quo Warranto*, or any other writ or writs, prosecution, suit, or processes, whatsoever, against the aforesaid Mayor, Aldermen, and Commonalty of the city of New-York, or their successors for the time being, or against any of them, for any causes, things, offences, claims, usurpations, or omissions, or any of them, by them, the said Mayor, Aldermen, and Commonalty, or any of them, or by the predecessors, or any of them, or by any other Mayor, Aldermen, and Commonalty, of the city of New-York, or any of them, done, attempted, claimed, used, had, usurped, or committed, or omitted at any time before the making of these letters. And we being willing also that the said now Mayor, Aldermen, and Commonalty of the city of New-York, and their successors, shall not, nor shall any, or either of them, be molested, or impeached, by or before any judge or judges, justice or justices, sheriffs, officers, or other ministers aforesaid, in or for any use, claim, abuse, usurpation, of any the aforesaid, or of any other liberties, franchises, or

By any information, *Quo Warranto*, or other suit.

For any matter or cause whatsoever.

Nor be compelled to answer before any justices, officers or ministers, for any claims abuses or other matters had or done before the date hereof.

jurisdictions, within the city aforesaid, and the liberties and precincts thereof, before the day of the making of these letters, had used, claimed, abused, or usurped, nor to or for them, or any of them, or for any other thing whatsoever, shall be compelled to answer; and also of our more abundant especial grace, certain knowledge, and meer motion, we have given, pardoned, remitted, released, and quit-claimed, and by these presents do, for ourselves, our heirs and successors, give, pardon, remit, release, and quit claim to the aforesaid Mayor, Aldermen, and Commonalty of the city of New-York aforesaid, and to their successors forever, by whatsoever name the same Mayor, Aldermen, and Commonalty, may be called, named, or styled, or lately heretofore were called, styled, named, or titled, all and all manner and actions whatsoever informations and suits of *Quo Warranto* and other informations, suits, and prosecutions; and also, all and singular usages, non-usages, abuses, forfeitures, usurpations, intrusions, omissions and also, all unjust claims of any rights, privileges, liberties, franchises, jurisdictions, courts, powers, offices, fees, fines, americaments, ferries ferriages, perquisites, rents, possessions, lands, tenements, or hereditaments, whatsoever, by the aforesaid Mayor, Aldermen, and Commonalty, of the city aforesaid, or by any of their predecessors, or by any other Mayor, Aldermen, and Commonalty of the city of New-York, by whatsoever name, or names, or incorporation, or by pretext of any incorporation, before the day of

Grant, release and pardon of all suits and informations and prosecutions.

the making of these presents, perpetrated, made, or claimed; and, also, all and all manner of fines, amerciaments, penalties, sums of money, and other forfeitures whatsoever, by reason of such usurpation, intrusion, usage, non-usage, omission, abuse, or unjust claim, and that they the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors, and every of them be, and shall be, and hereby are, thereof fully acquitted and discharged towards us, our heirs, and successors, forever; being unwilling that they, or any of them, should, by reason of the premises aforesaid, or any part thereof, by us, our heirs, or successors, or by any of our justices, sheriffs, ministers, or officers, whatsoever, be troubled, molested, or in any wise vexed.

And of all fines and forfeitures.

And further, we do of our especial grace, certain knowledge, and meer motion, will, declare, and signify, and by these presents, for us, our heirs, and successors, do grant unto, and covenant with, the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors, not only that they and their successors forever hereafter may, and shall, have, hold, use, possess, and enjoy, all the rights, privileges, liberties, franchises, jurisdictions, courts, powers, offices, authorities, markets, ferries, fees, fines, amerciaments, perquisites, profits, immunities; and also all the rents, possessions, lands, tenements, and hereditaments, and all other the premises in these presents mentioned, and intended to be hereby granted and confirmed;

Covenant, that the corporation shall quietly enjoy all their former & hereby granted Franchises, lands, tenements and hereditaments.

This grant of the inrollment thereof to be of force,

but also, that these our letters, being entered upon record, as is hereinafter appointed, and the record or inrollment thereof, and either of them, and all and every thing therein contained, from time to time, and at all times hereafter, be, and shall be, firm, valid, good, sufficient, and effectual in law towards and against us, our heirs, and successors, according to the true intention thereof; and in and through all things shall be construed, taken, and expounded most benignly, and in favour, and for the most and greatest advantage, profit, and benefit of the said Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors, as well in all courts as elsewhere, without any confirmation, licences, tolerations, procured or to be procured, of us, our heirs, or successors, notwithstanding that any writ or writs of *ad quod damnum*, hath or have not issued, or is or are not returned, before the making of these presents, and notwithstanding the not reciting, misreciting, or not rightly or certainly reciting, or ill or wrong reciting the said rights, privileges, liberties, franchises, jurisdictions, courts, powers, offices, authorities, markets, ferries, fees, amerciaments, perquisites, profits, immunities, rents, possessions, lands, tenements, hereditaments, and any other the premises, in or by these presents granted, or mentioned, or intended, to be hereby granted, or any part or parcel thereof, and notwithstanding the not finding, or ill or not right or certain finding of any office or offices, inquisition

and be expounded most benignly, and in favour of the corporation in all courts and places whatsoever. Notwithstanding any imperfection, omission, matter, cause or thing whatsoever.

or inquisitions of the premises, hereby granted or mentioned, or intended, to be hereby granted, or any part or parcel thereof, by which our title in and to the said premises, or any part thereof, might, could, should, or ought to have been found, before the making of these presents; and notwithstanding any defect in not reciting or ill-reciting of any lease, grant, or grants, of the premises, or any part thereof, being upon record, or not upon record, or otherwise, howsoever; and notwithstanding the ill-naming, misnaming, or not right or certain naming any place or precinct, wherein the premises, or any part thereof, are or is; and notwithstanding, any defect in not mentioning, or not fully, rightly, or certainly, mentioning the name or names of all or any the rights, privileges, liberties, franchises, jurisdictions, courts, powers, offices, authorities, markets, ferries, fees, amerciaments, perquisites, profits, immunities, rents, possessions, lands, tenements, hereditaments, or other the premises, hereby granted, or intended to be granted, or any part or parcel thereof; or of the yearly, or other rent of, or reserved in, and upon the premises, or any part thereof; and notwithstanding any defect, for the want of a computation or declaration, or for the omission of the true value of the premises, in these presents mentioned or intended to be hereby granted, or any part thereof, and notwithstanding any defect in not mentioning our true right, estate, or title of or to the same premises, or any part or parcel of them; and notwithstanding, the not mentioning, or not fully, rightly, or certainly, mentioning the

natures, kinds, species, or quantities, of the premises, or any of them, or any part or parcel of them and notwithstanding any act, statute, or ordinance of parliament, or any act of assembly; and notwithstanding any other defects, defaults or imperfections, or any other cause or thing whatsoever. And further, that if any fault, mistake, or imperfection, in time to come, shall be found in these presents, or any doubt, scruple or question, be, or shall be made, or shall happen to arise, concerning the premises, or any part thereof, that we, our heirs, and successors, shall and will vouchsafe to make any other grant or assurance, under the great seal of us, our heirs, or successors, of the said province of New-York, to the Mayor, Aldermen, and Commonalty, of the city of New-York, for the time being, and their successors, at their own proper charges, for the better giving, granting, and confirming, and for their safe and better enjoying the premises aforesaid, and every part thereof, when it shall be desired by the same Mayor, Aldermen, and Commonalty of the city of New-York, or their successors. Also, we will, and by these presents grant unto the said Mayor, Aldermen, and Commonalty, that they shall and may have these presents, made and sealed under the great seal of our said province of New-York, without rendering, paying or making any fine or fee, great or little to us, or to our use, for the same, although no express mention is made of the true yearly or other value, or of the certainty of the premises, or any part thereof, or of the gifts or grants, heretofore by us, or our an-

If any fault or imperfection should hereafter be found in these presents, that, the crown will make any other grant to the corporation as they shall see or think fit.

At their costs and charges.

This grant to be made, and sealed without paying any fee for the same

Notwithstanding any omission or imperfection whatsoever.

cestors, or by any Governor, Lieutenant-Governor, or Commander in Chief, of the said province of New-York, to the Mayor, Aldermen and Commonalty, of the said city of New-York, or to the citizens or inhabitants of New-York, aforesaid, by that or any other name, stile, or title, or any other statute, act, ordinance, proclamation, provision or restriction, made, published, ordained, or provided to the contrary, or any other cause or matter whatsoever, in any wise notwithstanding.

In Testimony whereof, we have caused these our letters to be made patent, and the great seal of our said province to be hereunto affixed, and the same to be entered of record in our secretary's office of our said province in one of the book of patents there remaining. *Witness* our trusty and well-beloved *John Montgomery*, esq. our Captain-General and Governor in Chief of our said province of New-York, and the province of New-Jersey, and teritories depending thereon in America, and Vice-Admiral of the same, &c. at our Fort-George in New-York, the fifteenth day of January, in the fourth year of our reign. Date of the Charter.

May it please your Excelleney,

I HAVE perused this Charter, and find nothing therein prejudicial to the interest of his Majesty.

To his Excellency
The Governor of the province of
New-York, &c.
15*th January*, 1730.

R. BRADLEY,
Attorney-General,

I DO certify, that the aforegoing is a true copy of the original charter remaining in the clerk's office of the city of New-York, carefully examined and compared by

T. WORTMAN,
Clerk, New-York.

An ACT *for confirming unto the city of* New-York, *its rights and privileges.*

Passed the 14th of October, 1732.

6th GEORGE II. A. D. 1732.

I. *BE it declared and enacted by the Governor, the Council, and the General Assembly of the colony, of* New-York, *and it is hereby enacted by the authority of the same,* That the Mayor, Aldermen, and Commonalty, of the city of New-York, shall, and may, forever hereafter remain, continue, and be a body corporate and politic, *in re facto et nomine* by the name of the Mayor, Aldermen, and Commonalty of the city of New-York; and by that name to sue, plead, and be impleaded, and to answer, and to be answered, without any seizure or forejudger, for, or upon any, pretence of any forfeiture or misdemeanor at any time heretofore done, committed, or suffered.

The Mayor, Aldermen, and Commonalty of the city of New York, to be a corporation, &c

II. *And be it enacted by the authority aforesaid,* That all and singular letters patent, grants, charters, and gifts, sealed under the great seal of the colony of New-York, heretofore made and granted unto the Mayor, Aldermen, and Commonalty, of the city of New-York, be, and are hereby declared to be, and shall be good, valid, perfect, authentic, and effectual in the law, and shall stand,

All letters patent, &c. heretofore made to the said Mayor, &c. declared good and valid.

be taken, reputed, deemed, and adjudged good, perfect, sure, available authentic, and effectual in the law, against the King's Majesty, his heirs, and successors, and all and every person and persons, whomsoever, according to the tenor and effect of the said letters patent, grants, charters, and gifts.

And are hereby confirmed.

III. *And be it enacted by the authority aforesaid,* That all and singular letters patent, grants, charters, and gifts, sealed under the great seal of the colony of New-York, heretofore made and granted unto the Mayor, Aldermen, and Commonalty, of the city of New-York, be, and are, to all intents and purposes, hereby ratified and confirmed.

And also all their rights, privileges, franchises, &c.

IV. *And be it enacted by the authority aforesaid,* That the Mayor, Aldermen, and Commonalty, of the city of New-York, and their successors, shall, and may forever hereafter, peaceably have, hold, use, and enjoy, all and every the rights, gifts, charters, grants, powers, liberties, privileges, franchises, customs, usages, constitutions, immunities, markets, duties, tolls, lands, tenements, estates and hereditaments, which have heretofore been given, or granted, unto the Mayor, Aldermen, and Commonalty of the city of New-York, by any letters patent, grant, charter, or gift, sealed under the seal of the colony of New-York.

This act to be taken as a general and public Act.

V. *And be it enacted by the authority aforesaid,* That this present act shall be accepted, taken, and reputed, to be a general and public act of Assembly; of which all and every the judges, and justices

of this colony, in all courts, and all other persons, shall take notice on all occasions whatsoever, as if it were a public act of assembly, relating to the whole colony; any thing herein contained to the contrary thereof in any wise notwithstanding.

FINIS.

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proved of by the Governor, as his deputy.—See *Deputy Mayor*, 48
Ale, the assize of, granted to the corporation, 68
—— gaugers of, may be appointed by the corporation, 73
—— public sellers of, by retail, shall obtain an annual licence from the Mayor, 77
—— persons selling without licence forfeit five pounds, 78
Aliens, shall not be admitted freemen of the city, 21 & 72
Alleys, the power of laying out, altering, and amending, vested in the corporation, 5 & 67
Alms-House, corporation authorised to build, or to appropriate any of their buildings for an, 74
——, keepers of the, to be appointed by the corporation, 75
Amerciaments, reasonable, may be imposed by the common council, on those who offend against their laws, 13
Assessors, the number to be sixteen, 48
—— two by "charter" chosen annually for each of the first six wards and four for the out ward, by the freemen being inhabitants and the freeholders, on the feast of St. Michael, 55
—— should any one die or remove out of the city during the time for which he was elected, another shall be chosen in his room, 58
—— when any freeholder or freeman shall be chosen assessor and declines to serve, he is liable to a fine of fifteen pounds, 60
Assistants to the Aldermen, the number of, at first, 6, 8
—— encreased to seven in the year 1732, 47
——, one for each ward formerly chosen by the majority of voices of the freemen being inhabitants and the freeholders, on the feast of St. Michael, 55
——, should any one die or remove from the city, during the time for which he was elected, another shall be chosen in his stead, 58
—— when any freeholder or freeman shall be chosen as assessor and declines to serve, he is liable to a fine of fifteen pounds, 60

Assize of bread, wine, beer, ale, &c. granted to the corporation, 68

Attorneys, by charter, eight only were appointed for the mayor's court, to continue in office during good behaviour, 86

——— besides these and the attorney and solicitor general, no other allowed to practise, 88

——— after the death or removal of any two or more, the number to be limited to six, 87

——— how removable from office for bad behaviour, *ib.*

——— none shall be admitted unless recommended by the mayor, deputy mayor, or recorder, and at least three aldermen, and approved of by the governor, 68

Authorities those anciently enjoyed by the city, confirmed by the charter, 8

B.

BATTERIES, the corporation in wharving out, upon the North and East Rivers, shall leave 40 feet for the purpose of trade and planting batteries, 103

Bayard, Nicholas, constituted first mayor, by the charter of 1686, 11

Beadles formerly appointed by the corporation, 73

Beaver Skin, a, to be paid annually by the corporation as a quit rent for the immunities granted to them in 1686, 7

Bedlow Island within the jurisdiction of the city of New-York, 41

Beef, the common council authorised to appoint surveyors of, 73

Beer, public sellers of, by retail, shall annually be licensed by the Mayor, 19 & 77

—— penalty for thus selling without licence, 78

—— the assize of, granted to the corporation, 68

——, gaugers of, may be appointed by the corporation, 78

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Boundries of the city, 7 & 41

Brandy, public sellers of, by retail, shall annually be licensed by the mayor, 77

—— penalty for selling without licence, 78

Brandy, gaugers of, may be appointed by the corporation, 73
Bread, the assize of, granted to the corporation, 68
—— the corporation authorised to appoint surveyors of, 73
Bridewell, corporation authorised to erect or appropriate one or more of their buildings for a bridewell or bridewells, *ib.*
———— keepers of, to be appointed by the corporation, *ib.*
———— rogues, vagabonds, stragglers, and suspicious persons may be committed to, by the mayor, recorder, or any alderman, 74
Bucking Island, within the jurisdiction of the city, 41
Burying Ground, new, the profits arising from the granted to the corporation, 5

C.

Chamberlain, formerly appointed on the feast of St. Michael, by the common council, 55
———— now appointed on the day of the election of charter officers, *ib.*
———— should he die or remove ont of the city during the time for which he was elected, the common council shall appoint another in his room, 59
———— shall attend upon the mayor, aldermen, and recorder, and execute their commands, 90
Charitable Uses, lands, tenements, goods, or chattels, previously given for, shall not be employed to any purpose different from the intention of the donor, 25
Charter, to be expounded most benignly, and in favor of the corporation, notwithstanding any imperfection, omission, &c. 108
Charter Officers, formerly elected annually on the feast of St. Michael, by the freeholders and freemen in each respective ward, 55
———— *formerly* sworn into office on the 14th October annually, 56
———— should any of the, die, or remove out of the city, during the time for which he was elected, another shall be chosen in his room, 58
———— when any freeholder or freeman shall be

appointed as a charter officer, and shall decline to serve, he is liable to a fine of 15 pounds, and another shall be appointed in his room, 60 & 61

Clerk Town or common, shall also be clerk of the court of record, of the peace and of the sessions of the peace, 84

——— upon his death, the governor may appoint another, 85

——— when the office of, becomes vacant, the common council may appoint one to act, till another shall be appointed by the governor and sworn, 86

——— shall attend upon the mayor, recorder, and aldermen, to execute their commands, 90

Collectors, the number of the, formerly eight, 52

——— of these one was to be chosen for each of the first six wards and two for the out ward, by the freemen and freeholders, annually on St. Michael's day, 55

——— should any one die, or remove out of the city, during the time for which he was elected, another shall be chosen in his stead, 58

——— when any freeholder or freeman, who shall be elected as collector, shall decline to serve, he is liable to a fine of fifteen pounds, and another shall be chosen in his stead, 60 & 61

Common Council in 1686, to consist of the mayor and at least 3 aldermen and 3 assistants, 12

——— in 1732, the number encreased to the mayor or recorder, and at least 4 aldermen and 4 assistants, 62

——— the market houses, bridge, dock, wharves, new buriel ground and ferry, with all profits arising therefrom, granted to the, 4

——— all waste and unappropriated lands on Manhattan Island, extending as far as low-water-mark, together with all rivers, &c. granted to the, 6

——— also all streets, lanes, alleys, and highways, with the power of laying out and amending the same, provided the property of individuals be not impressed, 5

Common Council as also the royalties of fishing, fowling, hunting, &c. and all mines, except those of gold and silver, 7

——— empowered by the charter of 1686, to make, alter, and repeal laws, provided they be not repugnant to the king's prerogative, the laws of England, and the acts of the assembly, and that they do not remain in force longer than three months, unless sanctioned by the governor and council, 13

——— may impose discretionary fines for the non-observance of such laws, *ib.*

——— may purchase and hold lands, tenements, &c. in fee simple, not exceeding 1,000l. per annum, and dispose of the same at pleasure, 22

——— may take in, fill up, and lay out the ground in and about the city and island, and build upon the same as far into the rivers thereof and that encompass the same as low water-mark, 23

——— shall enjoy all the profits accruing from the ferry between New-York and Long-Island, and also from the vacant and unappropriated land between high and low-water-mark, from the Wallabout to Red-Hook, except that persons having plantations on the river side, may transport themselves and goods in their own boats free of ex-pence, 30

——— shall pay for the said ferry an annual quit rent of five shillings, 31

——— may establish and regulate as many ferries as they may see fit, 32 & 66

——— may purchase and hold lands and tenements, goods, and chattels, within or without the province, and dispose of the same at pleasure, 40

——— may exact a fine, not exceeding 15 pounds, on any freeholder or freeman, who, after being elected as a charter officer, shall decline to serve, 60

——— may by the charter of 1732, make by-laws not repugnant to the laws of England or of the province, which shall not continue in force longer than twelve months, unless confirmed by the governor and council, 63

Common Council may either disfranchise or fine those who transgress the by-laws, 63

——————may hold as many markets as they shall judge proper, on every day except Sundays, 68

——————— have sole power of determining the elections of all their officers and ministers, elected in and for the corporation, 65

——————— may fine any of their members or officers, in the sum of 20s. who, after due notice, shall neglect to attend a meeting of the corporation, unless a reasonable excuse shall be produced to the contrary, *ib.*

——————— may appoint surveyors, measurers, guagers, watchmen, bridewell keepers, &c. and displace them at pleasure, 73

——————— may have one or more gaols, bridewells, &c. 74

——————— may appoint and remove the keepers at their pleasure, 75

——————— may build an alms-house and appoint the officers thereof, 73 & 75

——————— vested with the soil under water from Bestaver's Killitie to the fort on the North River, and also from Corlear's Hook to Whitehall on the East River, comprehending 400 feet below low-water mark, 101

——————— may wharf out the same and use it, as they may see fit, provided they do not wharf out before those who have prior grants without their consent, 102

——————— they shall also leave 40 ft. broad, towards the East & North Rivers, for trading & planting batteries, 103

——————— shall pay a certain quit rent, *ib.*

——————— shall enjoy, without any let or hindrance, all their former rights and privileges, 104

Common Pleas, court of, may be held, on every Tuesday by the Mayor, Recorder, and Aldermen, or any three of them, whereof the Mayor or Recorder shall be one, 23

High Constable, how appointed, 9 & 17

Constables, seven were to be elected, according to the charter of 1686, 9

Constables and chosen annually, on the feast of St. Michael, viz. one for each of the first five wards respectively, and two for the out ward, by the majority of voices, 17

——— number of the increased to 16, 48

——— two of whom were to be elected annually, on the feast of St. Michael, for each of the first six wards respectively, and four for the out-ward, by the freeholders and freemen *viva voce*, 54

——— should any one die or remove, during the time for which he was appointed, another shall be elected in his stead, 58

——— should any freeholder or freeman, who has been elected as constable, refuse to serve, he is liable to a fine of 15*l.* and another shall be elected in his room, 60 & 61

——— shall attend upon the Mayor, Recorder, and on any of the Aldermen to execute their commands, 18 & 90

Coroner formerly appointed by the governor, now by the council of appointment, 54

—— should he die during the time for which he was appointed, another shall be appointed in his stead, 56

—— shall take an oath of office, 58

Corporation of the city of New-York, members of the formerly known by various names, 2

——— known, by charter, under the name of the "Mayor, Aldermen, and Commonalty of the city of New-York," 9 & 39

——— no one of the, shall be compelled to serve upon any jury, nor execute any office whatever out of the jurisdiction of the city, so long as they remain inhabitants thereof, 94

See *Common Council, and Mayor, Alderman, and Commonalty.*

Correction, the common council authorised to build a house of, and to appoint and remove the keeper or keepers thereof at pleasure, 73

Criers, public, may be appointed by the common council, *ib.*

Cullers, to be licensed by the Mayor, during his pleasure, 76

Cider, public sellers of, by retail shall annually obtain a [illegible]e from the Mayor, 19

Cider penalty for selling without licence, 78
—— guagers to be appointed by the corporation, 73

D.

DEPUTY-MAYOR, the Mayor may appoint one of the Aldermen as his deputy, who, after being approved of by the governor, shall during the sickness or absence of his principal, in all respects officiate in his stead, 48
———— if the Mayor die, the deputy shall execute the duties of the office till a successor shall be appointed and sworn into office, 49 & 93
———— assigned justice, 79
———— his oath of office, 92
Docks, the profits arising from, in the city, granted to the corporation, 5 & 99
Dock Ward, the old, how bounded, 43

E.

EAST WARD, the old, how bounded, 45
Election, the annual, for charter officers, formerly held on the feast of St. Michael, by the freeholders and freemen *viva voce*. 55
Extent of the City by the charter, 7 & 41

F.

FELONIES, persons guilty of, or suspected of, may be committed to gaol by the Mayor, Recorder, or any of the Aldermen, 18
———— to be heard and determined before the court of sessions, 80
Ferry, between New-York and Long-Island, granted to the corporation in 1686, 5
—— together with all the vacant and unappropriated lands on Long Island, between high and low-water-mark from the Wallabout or Red-Hook, 29 & 98
—— liberty reserved to those having plantations near the river between the Wallabout to Red-Hook, to transport themselves and their goods in their own boats without paying ferrage, 31
—— common council empowered to establish as many as they see fit, 32 & 66
—— may mkae laws and rules for the government of, 99

Fines, reasonable may be imposed by the common council, on those who violate their laws, 13

—— persons, not freemen carrying on any trade or merchandise, except during the time of fairs, subject to a fine of 5*l.* 20 & 21

—— a freeholder or freeman, elected as a charter officer and declining to serve, subject to a fine of 15*l.* 60

—— a member of the common council, neglecting to attend a meeting when duly notified, liable to a fine of 20*s.* *ib.*

—— persons selling liquor, without licence, liable to a fine, 69

—— imposed by the common council, may be recovered for the use of the corporation either by action of debt, or by warrant under the hand and seal of the Mayor, Recorder, or any of the Aldermen, 64

Flour, the common council authorised to appoint surveyors of, 73

Forestalling, the mayor or recorder, with at least 3 aldermen, authorised to hear and determine concerning, 80

Franchises, those anciently enjoyed by the city confirmed by charter to the common council, 8, 99, & 107

Freeholder, or *Freeman*, when elected as an alderman, assistant, collector, or constable, and refusing to serve, liable to a fine of 15*l.* 60

Freemen, may by charter of 1686, be made by the mayor and any three aldermen, 20

——— by charter of 1732, by the mayor and any four aldermen, 70

——— none but freemen shall exercise any trade or merchandise, except during fairs, under the penalty of having their shop windows shut up, and being fined, not exceeding five pounds, 20 & 71

——— none shall be admitted as, except citizens by birth or naturalization, 21 & 72

——— persons admitted as, to pay a sum not exceeding 5*l.* 21 & 70

——— and freemen of each respective ward formerly

annually chose charter officers, by plurality of votes, on the feast of St. Michael, 55

This is now changed—See *Franchise.*

Freemen shall not be compelled to serve on any jury or inquest, nor to execute any office, out of the jurisdiction of the city, so long as they remain inhabitants, 94

G.

GARBLES, may be appointed by the common council, 73

Guagers of wine, beer, ale, cider, rum, brandy, &c. may be appointed and removed at pleasure, by the common council, *ib.*

Gaol Delivery—See *Oyer and Terminer.*

Gaols, the corporation may have one or more, 74

—— the keepers of, to be appointed by the common council, 75

Gaoler shall take into custody, malefactors committed by the mayor, recorder, or any alderman, and keep them till delivered by law, 18 & 75

——— shall receive into custody such persons, as the mayor, recorder, or any alderman, may, in certain cases, commit for non-compliance with their decrees, 90

——— shall be obedient to attend upon the mayor, recorder, and aldermen, and each of them to execute their commands, *ib.*

Grain, the common council to appoint measurers of, 73

Great Barn Island, within the jurisdiction of the city, 41

H.

HEREDITAMENTS, anciently enjoyed, confirmed by the charter, 8

———————— given for charitable or pious uses, shall not be applied to any purpose different from the intention of the donor, 25

High Constable, to be annually appointed by the mayor 17 & 55

——— dying before the time, for which he was appointed, another shall be appointed in his stead, *ib*

High water and low water mark, all the vacant and unappropriated land between, on Long Island, from the Wallabout to Red-Hook granted to the corporation, 29

Highways, the power of laying out, altering, and amending, granted to the corporation—*See* Roads. 67

I.

IDLE PERSONS, having no visible way of livlihood, may be committed to bridewell by the mayor, recorder, or any of the aldermen, 73

——————— where they might be *formerly* punished, not exceeding life and limb, at the discretion of a magistrate, *ib.*

J.

JURISDICTION of the city, its extent and limits, 7 & 41

Justices of the peace, the mayor, deputy mayor, recorder, and aldermen, are, by virtue of their offices, 79

L.

Lands, formerly belonging to the city confirmed by the charter, 8

——— granted for pious or charitable purposes, shall never be appropriated in a manner contrary to the intention of the donor, 25

——— all vacant and unappropriated, on Long-Island, from high to low water mark, between the Wallabout and Red Hook, granted to the corporation, 29

Lanes, the power of laying out, altering, and amending, vested in the common council, 5 & 67

Laws, agreeably to charter, could not formerly be passed by the common council, that were repugnant to the king's prerogative, the laws of England or acts of the assembly, 13

—— could at first be in force only for 3 months, unless confirmed by the governor and council, *ib.*

—— in 1732, could remain in force for no longer than 12 months, unless confirmed as above, 63

Liberties, those anciently enjoyed by the city, confirmed by the charter, 8 & 107

Licences, tavern keepers must annually obtain from the mayor, 19 & 77

——— persons selling liquors without licence, liable to a penalty, 78

——— marshals, porters, cartmen, packers, cullers &c. ve licence from the mayor, during his pleasure, 77

Limits or boundaries of the city described, 7 & 41

Liquors, strong, public sellers of by retail, shall annually take out a licence from the mayor, 19

——— excisable liquors, guagers of, may be appointed by the common council, 73

Little Barn Island, within the jurisdiction of this city, 41

——— all along the shore of, from directly opposite the mouth of the creek called *Spyten Devil* to the south side of Red Hook, granted to the corporation, *ib.*

M.

MALEFACTORS, or persons suspected as such, may be committed to the common gaol, by the mayor, recorder, or any of the aldermen, 18

Manhattan Island, all waste and unappropriated lands on, as far as low water mark, as also the royalties of fishing, fowling, hunting, *&c.* granted by charter to the common council, 7

Manning's Island, within the jurisdiction of the, 41

Manual Occupation—See *Trade*, *ib.*

Market, Clerk of the, by the charter of 1686, to be appointed by his majesty, and in defect thereof, by the governor, 15

——— to be sworn faithfully to perform the duties of his office, *ib.*

——— mayor, by himself, or deputy, shall execute the duties and receive the emoluments of that office, 76

Markets, the common council authorized, by the charter of 1686, to hold 3 in each week, viz. on Tuesdays, Thursdays and Saturdays, 22

——— by charter of 1732, may hold markets in 5 different places daily, Sundays excepted, and as many more as they shall see fit, 68

Marshal, or serjeant at mace, to be appointed, 9

Marshals, to be licensed by the mayor, during his pleasure, 76

——— shall be obedient to and attend upon the mayor, or recorder, or any of the aldermen, to execute their commands, precepts, warrants, *&c.* 80

Mayor, Nicholas Bayard, the first nominated to that office in the charter of 1686, 11

—— formerly appointed by the governor and council on St. Michael's day, before whom he was on the 14th October following, to take the oath of office, 14

—— may *now* be sworn into office at any time—See *note*, 55

—— shall annually appoint an high constable, 17 & 55

—— may commit to the common gaol, persons guilty or suspected of crimes, misdemeanors, &c. 18

—— may annually grant licences to tavern keepers, innkeepers, &c. 19 & 77

—— may appoint one of the aldermen as his deputy, who, after being approved of by the governor, shall, during the sickness or absence of the mayor, officiate in his stead—See *Deputy Mayor*, 48

—— should the mayor die, during the time for which he was elected, the governor and council shall appoint another in his room, 56

—— may summon the common council to meet at such times and places as he may think proper, 65

—— may commit to the Bridewell or work-house, rogues, vagabonds, stragglers and suspicious persons, 74

See *Bridewell* and *Workhouse*.

—— shall be the clerk of the market, 75

—— as also water bailiff, 76

—— shall receive the fees appertaining to both officers, *ib.*

—— shall licence, during his pleasure, marshals, porters carmen, packers, cullers, &c. 77

—— may determine all causes with or without a jury, where the matter in dispute does not exceed 40*s*. 89

—— in case of such determination, may commit to prison either party refusing to comply therewith, *ib.*

Mayor, Alderman, and Commonalty, invested by charter of 1786, with all ancient rights and privileges formerly conferred on the city, 4

—— made a body politic and corporate, capable of purchasing and demising lands and chattels, 9

——— made capable of pleading and being pleaded—See *Common Council*, 39

Mayor's Court, formerly held before the mayor or his deputy, or recorder and three or more aldermen, 82

Mayor Recorder, and Aldermen, made justices of Oyer and Terminer, and general gaol delivery, and shall be so named in every commission, 81

——— any of them may perform any office appertaining to justices of the peace, 81

Measurers, the common council authorised to appoint, 73

Merchandize, none but freemen shall expose any for sale by retail, except during the time of a fair, under the penalty of having their shop windows shut up, and being fined in a sum not exceeding 5*l*. 21

See *Freemen*.

Mines, those of gold and silver excepted, granted to the corporation, 7, 99, & 100

Misdemeanor, the mayor, or recorder, or any alderman may commit any person to the common goal for, or on suspicion of, 18

Montgomery Ward, the boundaries of, 46

Mystery—See *Trade*.

N.

NASSAU-ISLAND—See *Long-Island*.

New Amsterdam, the former name of the city of N. York, 2

New-York, declared to be an ancient city, 1

——— the citizens of, anciently a body politic under the Dutch nation, 2

——— confirmed by charter in the lands, tenements, and hereditaments, which formerly belonged to them, 6

——— jurisdiction of the city in 1686, to extend to low water mark all round Manhattan Island, 7

——— extent and jurisdiction of, as defined in 1732, to begin at *Spyten Devil* Creek, on the Westchester side, at low water mark; thence along the said creek to the East river; from thence across to low water mark, on Long Island, including certain islands, all along said Island, at low water mark to the south side of Red-Hook; thence

to cross the North River, so as to include certain islands, to low water mark on the West side of the North river, or so far as the province extends, and so run up the West side of said river till it comes directly opposite *Spyten Devil* Creek, and thence to the place of beginning, 42

——— number of the wards afterwards encreased to 7 42

North Ward, the old how bounded, 45

Nutten Island, within the jurisdiction of the city, 41

O.

OATHS, for the faithful performance of their duty, *formerly* administered annually to the respective members of the corporation, on the 14th October, 56

——— mayor, recorder, sheriff or coroner may be sworn into office at any time—See NOTE, *ib.*

——— when any person shall be elected in the room of one who has died or removed from the city, he shall take an oath for the faithful discharge of his duty, previous to his entering on his office, 59

Offences, how to be tried and determined, ...16 & 80

Officers, the common council vested with the power of deciding on all the elections of their officers and ministers, 65

——— shall be obedient to and attend upon the mayor, recordor and aldermen, or any of them, to execute their commands, 90

Oppression, cases of, how to be heard and determined, 16 & 80

Ordinances, not repugnant to the king's prerogative, the laws of England, or the acts of assembly, might by charter of 1686, be passed by the corporation, but could only remain in force three months, unless confirmed by the governor and council, 13

——— by charter of 1632, ordinances might be passed not repugnant to the laws of England, or of the province, but could continue in force no longer than 12 months, unless confirmed as above, 63

Out Ward, the former, how bounded, 46

Oyer and Terminer, and of Gaol Delivery, the mayor, recorder and aldermen made justices of, and shall be so named in every commission, 61

Oyster Island, within the jurisdiction of the corporation, 41

P.

PACKERS, to be licensed by the mayor during his pleasure, 76

Peace, the mayor, recorder and aldermen appointed justices and keepers of the, 16 & 79

—— disturbers of, or persons suspected of disturbing the, may be committed to jail by the mayor, the recorder, or any one of the aldermen, 18

Plantations, persons having, on the river side, between the Wallabout and Red Hook, may transport themselves and goods in their own boats, without paying ferriage, 100

Police Clerk, his compensation, 86

Pork, the common council authorized to appoint surveyors of, 73

Porters, shall be licensed by the mayor, during his pleasure, 76

Privileges, those formerly enjoyed by the city, confirmed by the charter, 8 & 109

Provisions, the common council authorized to appoint surveyors of, 73

Q.

Quit rent, the annual, for the privileges granted to the city by charter, 7 & 103

R.

Recorder, by charter, was to be appointed by his majesty, and in defect thereof by the governor, 15

——— before whom he shall take the oath of office, *ib*

——— may be sworn into office at any time—See *Note*, 56

——— may commit to the gaol persons guilty or suspected of crimes and misdemeanors, 18

——— was removable form office, at the pleasure of the governor, 50

——— may summon the common council, in the absence or sickness of the mayor, to meet at such time and place as he may think fit. 65

——— may commit to bridewell or the work-house, rogues, vagabonds, stragglers, and suspicious persons, 74

——— assigned justices of the peace, 79

Recorder may either with or without a jury determine all causes under 40*s*. 89

Red Hook and Wallabout, on Long Island, between all unappropriated lands from high to low water mark, vested in the corporation, 30

Rights, all those anciently enjoyed by the city, confirmed by the charter, 8 and 107

Riots, cases of, how to be heard and determined, 16 and 80

Rivers and Rivulets, the emoluments arising from all, within the limits of the city, belong to the corporation, 99

Rum, gaugers of, to be appointed by the common council, 79

—— penalty on persons selling by retail, without license, 78

S.

SALT, the common council authorised to appoint measurers of, 73

Schephens or Schout of the city of New-Amsterdam, the ancient name of the magistrates of New-York, 2

Sessions of the Peace, four general courts of, were by charter to be held annually on the first Tuesdays of November, February, May, and August, by the Mayor, Deputy Mayor, Recorder, and Aldermen, or any four of them, of whom the Mayor, Deputy Mayor, or recorder, must be one, 79

———————— might continue any time not exceeding 4 days, 80

Sheriff, formerly appointed annually by the governor and council on the feast of St. Michael, and sworn into office on the 14th October following, 14

——— shall be appointed for one year, and continue in office till another person is placed in his room, 54

——— shall enter into a bond for the faithful performance of his duty, 53

——— may be sworn into office, at any time, 56

See *Note*.

——— should he die during the time for which he was elected, the governor and council may appoint another, *ib*.

Soil, under water, from Bestaver's Killitie to the fort on the North River, comprehending 400 feet below low-water-mark, ceded to the corporation, 101

—— also on the East River, from Corlaer's Hook to the Whitehall comprehending 400 feet, 102

South Ward how bounded, 42

Special Justices—Justices Special.

Spyten Devil Creek, over which Kingsbridge is built, one of the boundaries of the city, 41

St. Michael, the archangel, the election of charter officers, formerly held on the feast of, 17 and 54

Stock, given for charitable and pious purposes, shall not be applied to any use different from the intention of the donor, 25

Stragglers, may be committed to bridewell, or the work-house, by the Mayor, Recorder, or any of the Aldermen, 74

Streets, power of laying out, altering, and repairing vested in the common council, 5 and 67

Suspicious persons may be committed to the Bridewell or work-house, by the Mayor, Recorder, or any Alderman, 73

T.

TAVERN-KEEPERS, must annually obtain a licence from the Mayor, 19

———————— those who do not take out a licence, shall forfeit the sum of five pounds for every offence, 78

———————— the re-cognizance of, instead of being as heretofore, in the name of the people of the state, shall be taken in the name of the Mayor, Aldermen and Commonalty, 19

Tenements, given for pious and charitable purposes, shall not be misapplied from the intention of the donor, 25

Trades, mystery or manual occupations, none but freemen shall exercise, except during the time of fairs, under the penalty of having their shop windows shut up by order of the Mayor, and being fined in a sum not exceeding five pounds —See *Freemen*, 20

Trade, the corporation, in wharfing out, shall leave on

the East and North river 40 feet broad for trade and planting batteries, 113

Treason, persons guilty or suspected of, may be committed to the common gaol by the Mayor, Recorder, or any of the Aldermen, 18

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AN ACT

TO AMEND THE

CHARTER

OF THE

CITY OF NEW-YORK.

PASSED APRIL 7, 1830.

The people of the State of New-York, represented in Senate and Assembly: Do enact as follows—

Legislative power,

1. The legislative power of the Corporation of the City of New-York, shall be vested in a board of Aldermen, and a board of Assistants, who together shall form the Common Council of the City.

Each Ward entitled to Aldermen and Assistant.

2. Each Ward of the City shall be entitled to elect one person to be denominated the Alderman of the Ward, and the persons so chosen, together shall form the board of Aldermen; and each Ward shall also be entitled to elect one person to be denominated an Assistant Alderman; and the persons so chosen, together shall form the board of Assistants.

Who are eligible

3. The Aldermen and Assistant Aldermen shall be chosen for one year; and no person shall be eligible to either office, who shall not at the time of his election, be a resident of the ward for which he is chosen.

Election of &c.

4. The annual election for Charter Officers shall commence on the second Tuesday in April, and the Officers elected shall be sworn into office on the second Tuesday in May thereafter; and all the provisions of law now in force in regard to the notification, duration, and conduct of elections for Members of Assembly, and in regard to the appointment, powers and duties of the inspectors, holding the same, shall apply to the annual election of Charter Officers.

First election on the second Tuesday of April, 1831.

5. The first election for Charter Officers, after the passage of this law, shall take place on the second Tuesday in April, one thousand eight hundred

and thirty-one; and all those persons who shall have been elected under the former laws regulating the election of Charter Officers, and shall be in office at the time of the passage of this law, shall continue in office until the officers elected under this law shall be entitled to be sworn into office.

Power to direct special election.

6. The board of Aldermen shall have power to direct a special election to be held, to supply the place of any Alderman whose seat shall become vacant by death, removal from the city, resignation, or otherwise; and the board of Assistants shall also have power to direct a special election to supply any vacancy that may occur in the board of Assistants; and in both cases, the person elected to supply the vacancy, shall hold his seat only for the residue of the term of office of his immediate predecessor.

Meeting of the board and their duties.

7. The boards shall meet in separate chambers, and a majority of each shall be a quorum to do business. Each board shall appoint a President from its own body, and shall also choose its Clerk and other officers, determine the rules of its own proceedings, and be the judge of the qualifications of its own members. Each board shall keep a journal of its proceedings, and the doors of each shall be kept open, except when the public welfare shall require secrecy; and all resolutions and reports of Committees which shall recommend any specific improvement involving the appropriation of public monies, or taxing or assessing the citizens of said city, shall be published immediately after the adjournment of the board, under the authority of the Common Council, in all the newspapers employed by the Corporation: and whenever a vote is taken in relation thereto, the ayes and noes shall be called and published in the same manner.

Power to expel, &c.

8. Each board shall have the authority to compel the attendance of absent members; to punish its members for disorderly behaviour, and to expel a member, with the concurrence of two-thirds of the members elected to the board; and the members of expelled, shall, by such expulsion, forfeit all his right and powers as an Alderman or Assistant Alderman.

Occasional meeting

9. The stated and occasional meetings of each board of the Common Council, shall be regulated by its own ordinances; and both boards may meet on the same or on different days as they may severally judge expedient.

laws ordinances and resolutions may originate in either board

10. Any law, ordinance, or resolution of the Common Council may originate in either board, and when it shall have passed one board, may be rejected or amended by the other.

prohibition of, members to hold office.

11. No member of either board shall, during the period for which he was elected, be appointed to, or be competent to hold any office, of which the emoluments are paid from the city treasury, or by fees, directed to be paid by any ordinance or act of the Common Council, or be directly or indirectly interested in any contract, the expenses or consideration whereof are to be paid under any ordinance of the Common Council; but this section shall not be construed to deprive any Alderman or Assistant of any emoluments or fees which he is entitled to by virtue of his office.

Mayor's veto Method of proceeding, &c.

12. Every act, ordinance, or resolution, which shall have passed the two boards of the Common Council, before it shall take effect, shall be presented, duly certified, to the Mayor of the City, for his approbation. If he approve, he shall sign it; if not, he shall return it with his objections to the board in which it originated, within ten days thereafter; or if such board be not then in session, at its next stated meeting. The board to which it shall be returned, shall enter the objections at large on their journal, and cause the same to be published in one or more of the public newspapers of the city.

13. The board to which such act ordinance, or resolution, have been so returned, shall after the expiration of not less than ten days thereafter, proceed to re-consider the same. If after such re-consideration, a majority of the members elected to the board shall agree to pass the same, it shall be sent, together with the objections, to the other board, by which it shall be likewise re-considered; and if approved by a majority of all the members elected to such board, it shall take effect as an act or law of

the Corporation. In all such cases the votes of both boards shall be determined by yeas and nays, and the names of the persons voting for and against the passage of the measure re-considered, shall be entered on the journal of each board respectively.

14. If the Mayor shall not return any act, ordinance, or resolution so presented to him, within the time above limited for that purpose, it shall take effect in the same manner as if he had signed it.

Prohibition of the Mayor and Recorder.

15. Neither the Mayor nor Recorder of the city of New-York, shall be a member of the Common Council thereof, after the second Tuesdey of May, one thousand eight hundred and thirty-one.

When the President of the board shall act as Mayor.

16. Whenever there shall be a vacancy in the office of Mayor, and whenever the Mayor shall be absent from the city, or be prevented by sickness, or any other cause, from attending to the duties of his office, the President of the board of Aldermen shall act as Mayor, and shall possess all the rights and powers of the Mayor, during the continuance of such vacancy, absence, or disability.

Duty of the Mayor.

17. It shall be the duty of the Mayor,

FIRST.—To communicate to the Common Council, at least once a year, and oftener if he shall deem it expedient, a general statement of the situation and condition of the City, in relation to its government, finances, and imporvements.

SECOND.—To recommend to the adoption of the Common Council all such measures connected with the police, security, health, cleanliness, and ornament of the City, and the improvement of its government, and finances, as he shall deem expedient.

THIRD.—To be vigilant and active in causing the laws and ordinances of the government of the City to be duly executed and enforced,

FOURTH.—To exercise a constant supervision and control over the conduct and acts of all subordinate officers, and to receive and examine into all such complaints as may be preferred against any of them for violation or neglect of duty, and generally to perform

all such duties as may be prescribed to him by the Charter and city ordinances, and the Laws of this State and the United States.

Appropriation when made.

18. Annual and occassional appropriations shall be made by proper ordinances of the Common Council for every branch and object of city expendature, nor shall any money be drawn from the city treasury except the same shall have been previously appropriated to the purpose for which it was drawn.

Borrowing money.

19. The Common Council shall not have authority to borrow any sums of money whatever on the credit of the Corporation, except in anticipation of the revenue of the year in which such loan shall be made, unless authorized by a special act of the legislature.

Publishing detailed statements of receipts and expenditures.

20. It shall be the duty of the Common Council to publish two months before the annual election of Charter Officers, in each year, for the general information of the citizens of New-York, a full and detailed statement of the receipts and expenditures of the Corporation, during the year, ending on the first day of the month in which such publication is made; and in every such statement the different sources of city revenue, and the amount received from each; the several appropriations made by the Common Council, the objects for which the same were made, and the amount of monies expended under each; the monies borrowed on the credit of the Corporation, the authority under which each loan was made, and the terms on which the same was obtained, shall be clearly and particularly specified.

Executive business.

21. The executive business of the Corporation of New-York shall hereafter be performed by distinct departments, which it shall be the duty of the Common Council to organize and appoint for that purpose.

Accountability of officers.

22. It shall be the duty of the Common Council to provide for the accountability of all officers, and other persons to whom the receipt or expenditure of the funds of the city shall be entrusted, by requiring from them sufficient security for the performance of their duties or trust, which security

shall be annually renewed; but the security first taken shall remain in force until new security shall be given.

Duties of the clerk of the board of Aldermen.

23. The Clerk of the Board of Aldermen, shall by virtue of his office, be Clerk of the Common Council, and shall perform all the duties heretofore performed by the Clerk of the Common Council, except such as shall be assigned to the Clerk of the Board of Assistant Aldermen; and it shall be his duty to keep open for inspection at all reasonable times, the records and minutes of the proceedings of the Common Council, except such as shall be specially ordered otherwise.

Division of the Common Council into two boards and their time of meeting.

24. The division of the Common Council into two boards, shall not take effect until the officers to be elected under this law enter on the duties of their office. Each board shall hold its first meeting, for the purpose of organizing, on the secund Tuesday of May in each year, at which time the Mayor or Clerk of the Common Coudcil shall attend, by whom the oath of offiice shall be administered to the members elected. In the absence of the Mayor and Clerk, such oath may be administered by the Recorder or First Judge of the City, or by any of the Justices of the Superior Court.

Provisions of this act when to apply.

25. None of the provisions of this act, except the eighteenth, nineteenth, twentieth, and twenty-second sections, shall be construed as applying to the Common Council as now constituted.

What parts of the Charter not repealed.

26. Such parts of the Charter of the city of New-York, and of the several acts of the Legisla. ture amending the same as are not inconsistant with the provisions of this law, shall not be construed as repealed, modified, or in any manner affected thereby; but shall continue and remain in full force.

State of New-York, Secretary's office.

I Certify the preceeding to be a true copy of

an original act of the Legislature of this State deposited in this office.

ARCHIBALD CAMPBELL,

Deputy Secretary.

Albany, April 7th, 1830.

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Passed April 7th 1830.

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